

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) No. 84 of 2018

IN THE MATTER OF:

G. S. C Industries Pvt. Ltd.

....Appellant

Vs

ROC, NCT of Delhi & Haryana

....Respondent

Present:

For Appellant: Mr. N.P.S Chawla and Mr. Sujoy Datta, Advocate

**For Respondent: Mr. Sanjib Kumar Mohanty, Sr. Panel Central
Govt Counsel for ROC**

O R D E R

27.08.2018: Counsel for Appellant partly heard. Perused the reply which was filed by ROC in NCLT. Para 7 of that reply read as under:

That as regards contents of para nos. 12 to 14, it is submitted that notices issued u/s 560 of Companies Act, 1956 are not readily traceable as the records of Registrar of Companies , NCT of Delhi & Haryana have been shifted to Indian Institute of Corporate Affairs (IICA) Campus (Basement), Plot No. 6, 7& 8, Sector-5, IMT Manesar, However, notice u/s 560 (5) was issued and published in the official gazette vide dated 31st May, 2007(?)

The reply filed by ROC in NCLT and now affidavit here in Appeal is not satisfactory. ROC should file affidavit stating as to what steps were taken for various compliances as required under Section 560. ROC to state regard issue of letters and notices before the notice under Section 560(5) was issued under

the old Companies Act, 1956. ROC also needs to show copies of those documents like the letters required to be issued under 560(1) and (2) and the notice as required under Section 560 sub Section 3, etc.

ROC to file detailed affidavit before the next date.

Let the affidavit be filed by 24th September, 2018 and list the Appeal for further hearing on **26th September, 2018**.

(Justice A.I.S. Cheema)
Member (Judicial)

(Balvinder Singh)
Member (Technical)

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