

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) No. 241 of 2017

IN THE MATTER OF:

ACME Consultants (P) Ltd. & Ors.

... Appellants

Versus

Wondermax Supply Pvt. Ltd. & Ors.

... Respondents

Present: Shri Arvind Kr. Gupta and Ms. Henna George, Advocates for the Appellants.

Shri Gaurav Kejriwal, Shri Sujit Kumar Keshri and Shri Samarth Singh Ashiya, Advocates for Respondent No. 1.

O R D E R

30.11.2017 While hearing the submissions of the learned counsel for the appellants who is trying to show that there was no delay on the part of the appellants from the documents which are already filed by the parties, it appeared that although there were documents regarding filing of Annual Returns for the year ending 2009 and year ending 2011 available, documents regarding filing of return for the year ending 2010 were not on records. Counsel for the appellants is submitting that he has available with him the returns which were filed by the respondents for the year ending 2010 and also the documents to show that even the annual return for the year ending 2009 was actually submitted to the Registrar of Companies in 2011. As these documents are not on record, the counsel for the appellants may file affidavit along with the documents which are being shown. Counsel for the respondent objects that new documents are

being filed. On the question whether or not these documents should be looked into, the same would be dealt with while hearing the appeal.

Let the documents mentioned above be filed along with affidavit on-or-before 6th December, 2017. The respondents may file reply affidavit, if required, within three days thereafter stating as to why the documents should not be taken on record and considered.

List the matter on 14th December, 2017.

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

[Balvinder Singh]
Member (Technical)