

Appellant Vs. Respondent

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Court : Kolkata

Decided On : Aug-07-2014

Judge : Biswanath Somadder

Appellant : Appellant

Respondent : Respondent

Judgement :

ORDER

SHEET IN THE HIGH COURT AT CALCUTTA Original Jurisdiction C.P.No.575 of 2014 C.A.No.329 of 2014 RE : DHUNSERI PETROCHEM & TEA LTD AND ORS BEFORE: The Hon'ble JUSTICE BISWANATH SOMADDER Date : 7th August, 2014.

Mr.B.Banerji, Sr.Adv., Mr.D.N.Sharma,Adv., Mr.A.Agarwal, Adv.with Ms.R.Saha, Adv.Mr.K.Shah, Adv.The Court : Let affidavits filed in Court today be taken on record.

This is an application under sections 391(2) and 394 read with section 100 of the Companies Act, 1956.

Certain technical observations have been made by the Central Government which are in paragraphs 2(a).(b) and (c) of the affidavit filed by the Central Government.

So far as the objection made in paragraphs 2(a) and (c) are concerned, the learned counsel appearing for the petitioners have submitted that their client will comply with the same after the scheme is approved by this Court.

So far as the observation made in paragraph 2(b) of the affidavit filed by the Central Government is concerned, he submits that the scheme itself provides for the same.

In so far as the other observation made by the Central Government in paragraph 2(d) of the affidavit filed by the Central Government is concerned, the learned advocate appearing for the petitioners submit that the same can be taken care of in Form No.INC-28 to be filled up by the companies.

In view of the aforesaid, there will be an order in terms of prayers (a) to (k) of the petition.

In the event, the petitioners supply a legible computerized printout of the scheme and the schedule of assets in acceptable form to the department, the department will append such computerized printout, upon verification, to the certified copy of this order without insisting on a handwritten copy thereof.

Let cost of 200 G.Ms be paid by the petitioners to the Central Government.

C.P.No.575 of 2014 is accordingly disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(BISWANATH SOMADDER, J.) km AR(CR)

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