

HIGH COURT OF CHHATTISGARH, BILASPUR

COMP No. 3 of 2009

1. C.G.Gas Point Bottling Pvt.Ltd. A company registered under the provision of Indian companies Act, 1956 having its registered office at 35 Vivekanand Nagar Raipur
2. Nitin Punamchand Khara, age about 48 years, R/O 34 A Ramdaspath Nagpur
3. Ghamshyamdas Champalal Tapadia aged about 47 R/O 35 Vivekanand Nagar, Raipur
4. Ilesh Punamchand Khara aged about 42 R/O 34 A, Ramdaspath Nagpur
5. Hanumandas Ramkrishna Bhattad aged about 54, R/O Radhakrishna Pallu Belchiti,west Durgapur
6. Nikgun Ghamshyamdas Tapadia aged about 35 R/O 35, Vivekanand Nagar, Raipur
7. Nalin Punamchand Khara, aged about 48 R/O 34 A Ramdaspath Nagpur

---- Petitioners

Versus

- Union Of India through Registrar of Companies Madhya Pradesh, Gwalior

---- Respondent

17/09/2015	Shri Atul Pandey, counsel for the petitioner. Shri N.K. Vyas, Assistant Solicitor General for Union of India. The instant petition is filed under Section 560 sub Section (6) of the Indian Companies Act, 1956 wherein it is prayed that the name of the petitioner-Company i.e. Chhattisgarh Gas Point Bottling Pvt. Ltd. which has been struck off from the register be restored in the register of Companies as maintained by the Registrar of the Companies. Learned counsel for Union of India very fairly submits that as per their return, the Registrar of the Companies has no objection if the name of the Company is restored in the record of the Registrar of Companies	

under Sub Section (6) of Section 560 of the Indian Companies Act by this Court as the corresponding Section 252 of the Companies Act, 2013 has not been notified so far. It is further submitted that in view of the submission made and the reply which has been placed on record the respondent-Registrar of the Companies may be directed to restore the name of the Company in the register subject to the condition that the petitioner-Company may kindly be directed to file its pending balance sheet and annual return as per the requirement of the Companies Act, 2013.

In view of submission made by the petitioner and return filed by the respondent which is supported by an affidavit, it is directed that name of the petitioner-Company be restored in the register of the Companies subject to the condition that the petitioner-Company shall file it's pending balance sheet and annual return as per the requirement of the Companies Act, 2013.

Accordingly, the petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge