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225/11 Rn

Copy of Sh Ajay Gupta Acmm delw



THE COURT OF LD. ACMM, TIS HAZARI, DELHI.
COMPANY CASE NO. 129/06 OF 2006

1534/3/10
25-2-10

THE REGISTRAR OF COMPANIES
NCT OF DELHI & HARYANA

129/06
29.3.06
COMPLAINANT

- vs.
1. M/s. Hoffland Diagnostics Limited, 108, Ansal Chamber II, 6, Bhikaji Cama Place, New Delhi.
 2. Shri Brij Bhushan Sharma, B2/54, Saidarjung Enclave, New Delhi.
 3. Shri Vijay Kumar Sharma, C-8/2013, Vasant Kunj, New Delhi.
 4. Shri Krishan Murari Sharma, G62-B, Kalkaji Extn. New Delhi.
-ACCUSED

COMPLAINT UNDER SECTION 162-220 READ WITH SECTION 220(3) OF
THE COMPANIES ACT, 1956.

The complainant, Registrar of Companies, NCT of Delhi & Haryana sheweth as
under :-
(ED:02401R0260222006) C-3

प्रमाणित
11/7/12
दिनांक

ROC V Hoffland Diagnostics Ltd.



8.7.09

Present: CP for ROC.

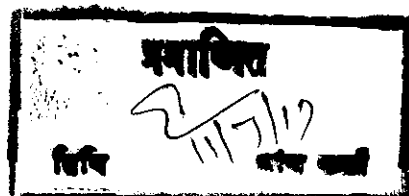
Accused absent.

File taken up on mentioning.

Ld. CP submits that process server have appeared today as in the notice to Process Server date is only mentioned as 8.7.09 whereas the actual date is 10.7.09. Since Process Server has appeared their statements are recorded regarding process u/s 82, 83 Cr.PC.

Put up on date fixed i.e. 10.7.09.

(SANJAY BANSAL)
ACMM-02/NORTH/DELHI
8.7.09



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ROC V Hoffland Diagnostics Ltd.

10.7.09


Present: CP for ROC.

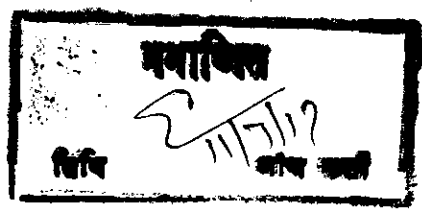
Accused are absent.

Statement of Process Servers were recorded on 8.7.09.

Process have been validly executed. Accused No. 2 and 3 have not appeared. They are declared PO.

Issue process u/s 82 Cr.P.C. against accused No. 4 for 02.03.09.


(Sanjay Bansal)
ACMM-02/North/Delhi
10.7.09



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ROC VS. HOFFLAND DIAGNOSTICS LTD

COMMON ORDER

05.07.11



Present: Company Prosecutor Ms. Kusum Yadav alongwith AR.

Accused no. 2 and 3 are already declared PO.

Process server HC Parminder Singh is present. His statement qua accused no. 4 Krishan Murari Sharma is recorded separately. In view of statement of the Process Server on oath and, in view of the Ex.CX and on being satisfied that the proclamation process of accused Krishan Murari Sharma was duly executed on his last known address., I am satisfied that the process u/s 82 Cr. P.C is duly executed. Accordingly, I am satisfied that the accused is deliberately absconding and concealing his presence. The accused Krishan Murari Sharma is declared proclaimed offender.

Company prosecutor submits that presently fresh address of accused no.1 is not available with them.

Perusal of the records reveals that the accused is not traceable now, despite repeated processes sent from the court. The complainant submits that the complainant is not in possession of any other address of accused persons as of now. The present case pertains to summons triable offence u/s 159/162/220 of the Companies Act only which is punishable with fine only. In such summons triable offence

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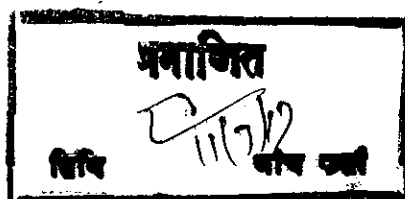


there is no point in keeping such files, as the present one, pending since despite repeated processes the accused no. 1 is not served and it unnecessarily consumes a lot of precious time of the court and also it occupies the cause list of the court without any fruitful results. In this court there are thousand of such matters pending, filed by the Registrar of Companies, in which for years together the accused could not be served. They have vanished from the given addresses. In such circumstances, it would be appropriate that the matter be adjourned sine-die and the files be preserved and in case the complainant is able to lay its hands on of any fresh or new address of accused no. 1, the complainant may get the file revived so that some fruitful proceedings can be conducted. Other wise adjourning such matters unnecessarily, more particularly when the processes are not being served, would only consume precious time of the court. It is ordered that file be consigned to the Record Room, being adjourned sine-die, and file is ordered to be preserved in the Record Room so that it can be revived, if required.



(AJAY GUPTA)

ACMM(SPL. ACTS)/CENTRAL/
DELHI/05.05.11



ROC Vs. Hoffland Diagnostics Ltd.

08-07-2009

Statement of Ct. Ramniwas No. 1289/SD PS; Sarojini Nagar, Delhi



On S A

On 10-01-2009 I was entrusted to execute process under section 82 Cr.P.C. against Brij Bhushan Sharma B-2/84, Safdarganj Enclave, Delhi. I visited the said address and inquired about the accused, but where about of the said accused could not be located. I pasted a copy of the process under section 82 Cr.P.C. near the front of door of the house and another copy at the notice board of the hon'ble Court. My report is Ex. C1 which bears my signature at point A.

RO & AC

रामनिवास
8/7/09

(Sanjay Bansal)
ACMM-02/North/Delhi&



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ROC Vs. Hoffland Diagnostics Ltd.



08-07-2009

Statement of Ct. Surender Singh 102 South District PS; Vasant Kunj, Delhi

On S A

On 25-09-2008 I was entrusted to execute process under section 82 Cr.P.C. against Vijay Kumar Sharma C-8/2013 Vasant Kunj, Delhi. I visited the said address and inquired about the accused, but where about of the said accused could not be located. I pasted a copy of the process under section 82 Cr.P.C. near the front of door of the house and another copy at the notice board of the hon'ble Court. My report is Ex. C2 which bears my signature at point A.

On 25-10-2008 I was also entrusted to execute the process U/s 83 Cr.P.C.. I visited the aforesaid address and tried to locate the attachable property of the accused, however no attachable property of the accused could be located. My report is Ex. C2/A which bears my signature at point B.

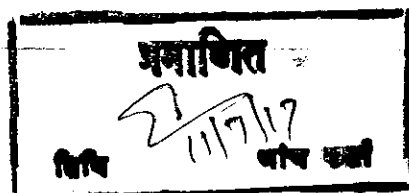
RO & AC

(Sanjay Bansal)

ACMM-02/North/Delhi&

Sanjay
8/7/09

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05.05.11

COMMON STATEMENT

Statement of HC Parminder Singh, No. 645 SE, PS Kalkaji.

On SA

I received the process U/s 82 Cr. PC against the accused no. 4 Krishan Murari Sharma for its execution. On 25.01.10, I affixed the said process copy at the court notice board of Tis Hazari Court Complex and on that very day I went to the address of the accused i.e. G-62-B, Kalkaji, New Delhi. I enquired about the accused but came to know from the landlord of the said premises that accused has left the said premises 18 years ago. Fresh address of the accused could not be known despite efforts. Therefore, I affixed one copy of the process u/s 82 Cr. PC at the main door of the said house and I made beating of drums in the premises nearest to the accused address. My report in this regard which is my handwriting duly signed by me is Ex.CX and my signatures is at point A. My report is correct.

RO & AC

Parminder Singh

5-5-11

(AJAY GUPTA)

ACMM(SPL. ACTS)/

CENTRAL/ DELHI/05.05.2011

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