

File No. 10/43/2005-CLB
GOVERNMENT OF INDIA
COMPANY LAW BOARD
Paryavaran Bhawan, 3rd Floor, B-Block, C.G.O. Complex, Lodhi Road,
New Delhi - 110 003

Dated: 25/09/2013

ORDER

The Companies Act, 2013 received the assent of the President of India on 29.08.2013 and was notified in the Gazette of India on 30.08.2013. Towards its implementation, 98 sections of the Companies Act, 2013 have come into force w.e.f. 12.09.2013. Sections 58 & 59 of the Companies Act, 2013, which came into force w.e.f. 12.09.2013, are the corresponding sections to section 111 & 111A of the Companies Act, 1956. After implementations of the sections 58 & 59 of the Companies Act, 2013, sections 111 & 111A of the Companies Act, 1956 ceased to have effect from 12.09.2013.

2. In this respect, Ministry of Corporate Affairs, in exercise of the powers conferred by sub section (1) of section 470 of the Companies Act, 2013, has issued an order dated 20.09.2013, clarifying that until a date is notified by the Central Government under sub-section (l) of section 434 of the Companies Act, 2013 (18 of 2013) for transfer of all matters, proceedings or cases to the Tribunal constituted under Chapter XXVII of the said Act, the Board of Company Law Administration shall exercise the powers of the Tribunal under sections 24, 58 and section 59 in pursuance of the second proviso to sub-section (l) of section 465 of the said Act.

3. Therefore, in exercise of the powers conferred by Sub-Section 4(B) of Section 10(E) of the Companies Act, 1956 (1 of 1956) read with Regulation 4 of the Company Law Board Regulations, 1991 and in supersession of all earlier orders, the Board hereby constitutes the following Benches for the purpose of exercising and discharging the Board's powers and functions in the manner specified below:-

(a) Matters filed before the Principal Bench before 31st March 2008 and pending in the following Benches shall be dealt with by any one of the following: -

NEW DELHI BENCH

1. Justice Shri Dilip Raosaheb Deshmukh, Chairman.
2. Shri B. S. V. Prakash Kumar, Member (Judicial).
3. Shri Dhan Raj, Member (Technical).

KOLKATA BENCH

1. Justice Shri Dilip Raosaheb Deshmukh, Chairman.
2. Shri Amalesh Bandopadhyay, Member (Technical).

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MUMBAI BENCH

1. Justice Shri Dilip Raosaheb Deshmukh, Chairman.
2. Shri A. K. Tripathi, Member (Judicial).

CHENNAI BENCH

1. Justice Shri Dilip Raosaheb Deshmukh, Chairman.
2. Shri Kanthi Narahari, Member, (Judicial).

(b) Matters pending before the Additional Principal Bench as on 31st March 2008 shall be dealt with by the Chennai Bench consisting of any one of the following:

- a. Justice Shri Dilip Raosaheb Deshmukh, Chairman.
- b. Shri Kanthi Narahari, Member, (Judicial).

(c) The Constitution of the Benches shall be as under:

PRINCIPAL BENCH

- (1) All matters relating to sections 250, 269 and 388B of the Companies Act, 1956 shall be dealt in the **Principal Bench at New Delhi** by Justice Shri Dilip Raosaheb Deshmukh, Chairman.

NEW DELHI BENCH

- (2) Matters relating to Sections 111 and/or 111A (received and registered in CLB upto 11.09.2013), sections 235, 237B, 247, 284, 304, 307, 614 and all matters arising under Chapter VI (prevention of oppression and mismanagement) of the Companies Act, 1956 and sections 24, 58 and 59 (petitions received and registered in CLB on or after 12.09.2013) of the Companies Act, 2013 falling within the State of Delhi, Haryana, Rajasthan, Uttarakhand, Jammu & Kashmir, Uttar Pradesh, Punjab, Himachal Pradesh and Union Territory of Chandigarh shall be dealt by the **New Delhi Bench** consisting of any one of the following:

- a. Justice Shri Dilip Raosaheb Deshmukh, Chairman.
- b. Shri B. S.V. Prakash Kumar, Member (Judicial).
- c. Shri Dhan Raj, Member (Technical).

- (3) All Matters relating to Sections 43, 49, 58A, 58AA, 79, 80A, 113, 117B, 117C, 118, 144, 163, 167, 186, 196, 219, 225, 614 and 621A of the Companies Act, 1956 and section 45QA of the R.B.I. Act, 1934 falling within the jurisdiction of the New Delhi Bench shall be dealt by the **New Delhi Bench** consisting of any one of the following:
- Justice Shri Dilip Raosaheb Deshmukh, Chairman.
 - Shri Dhan Raj, Member (Technical).

KOLKATA BENCH

- (4) Matters falling under sections 43, 49, 58A, 58AA, 79, 80A, 111 and/or 111A (petitions received and registered in CLB upto 11.09.2013), 113, 117, 117C, 118, 144, 163, 167, 186, 196, 219, 225, 235, 237B, 247, 284, 304, 307, 614, 621A and all matters arising under Chapter VI (prevention of oppression and mismanagement) of the Companies Act, 1956, section 45QA of the R.B.I. Act, 1934 and sections 24, 58 and 59 (petitions received and registered in CLB on or after 12.09.2013) of the Companies Act, 2013 falling within the jurisdiction of the Kolkata Bench shall be dealt by the **Kolkata Bench** consisting of any one of the following:
- Justice Shri Dilip Raosaheb Deshmukh, Chairman.
 - Shri Amalesh Bandopadhyay, Member (Technical).

MUMBAI BENCH

- (5) Matters falling under sections 43, 49, 58A, 58AA, 79, 80A, 111 and/or 111A (petitions received and registered in CLB upto 11.09.2013), 113, 117, 117C, 118, 144, 163, 167, 186, 196, 219, 225, 235, 237B, 247, 284, 304, 307, 614, 621A and all matters arising under Chapter VI (prevention of oppression and mismanagement) of the Companies Act, 1956, section 45QA of the R.B.I. Act, 1934 and sections 24, 58 and 59 (petitions received and registered in CLB on or after 12.09.2013) of the Companies Act, 2013 falling within the jurisdiction of the Mumbai Bench shall be dealt by the **Mumbai Bench** consisting of any one of the following:
- Justice Shri Dilip Raosaheb Deshmukh, Chairman.
 - Shri Ashok Kumar Tripathi, Member (Judicial).

CHENNAI BENCH

- (6) Mattes falling under sections 43, 49, 58A, 58AA, 79, 80A, 111 and/or 111A (petitions received and registered in CLB upto 11.09.2013), 113, 117, 117C, 118, 144, 163, 167, 186, 196, 219, 225, 235, 237B, 247, 284, 304, 307, 614, 621A and all matters arising under Chapter VI (prevention of oppression and mismanagement) of the Companies Act, 1956, section 45QA of the R.B.I. Act, 1934 and sections 24, 58 and 59 (petitions received and registered in CLB on or after 12.09.2013) of the Companies Act, 2013 falling within the jurisdiction of the Chennai Bench shall be dealt by the **Chennai Bench** consisting of any one of the following:
- a. Justice Shri Dilip Raosaheb Deshmukh, Chairman.
 - b. Shri Kanthi Narahari, Member (Judicial).
4. This Order shall come into force with effect from 25.09.2013.

By Order of the Company Law Board



(P. K. Malhotra)

Secretary, Company Law Board
Telephone: 24363451

1. P.A. to Hon'ble Chairman, Company Law Board, New Delhi.
2. Hon'ble Members, Company Law Board, New Delhi Bench, Kolkata Bench, Mumbai Bench and Chennai Bench.
3. Bench Officers, Company Law Board, Principal Bench, New Delhi Bench/Kolkata Bench/Mumbai Bench/Chennai Bench.
4. All Regional Directors/All Registrars of Companies/All Official Liquidator.
5. Sr. PPS to Secretary, Ministry of Corporate Affairs, New Delhi.
6. Secretary, DGIR, New Delhi.
7. Secretary, Competition Commission of India, New Delhi.
8. Director, S.F.I.O, New Delhi.
9. CLB, web site/ Notice Board
10. The Institute of Chartered Accountants of India, ITO, New Delhi.
11. The Institute of Company Secretaries of India, ICSI, House 22, Institutional Area, Lodhi Road, New Delhi - 110003.
12. Corporate Law Adviser, 158, Basant Enclave, Palam Road, New Delhi-110057.
13. Taxman Allied Services Ltd., 59/32, New Rohtak Road, Delhi.
14. The All India Reporter Pvt. Ltd., 31-D 'B' Block, Delhi High Court, New Delhi.
15. Bar councils New Delhi/Kolkata.