

NATIONAL COMPANY LAW TRIBUNAL
SINGLE BENCH
CHENNAI

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ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI
NATIONAL COMPANY LAW TRIBUNAL, HELD ON 23/02/2018 AT 10.30 AM

PRESENT: SHRI Ch. MOHD SHARIEF TARIQ, MEMBER-JUDICIAL

APPLICATION NUMBER :
PETITION NUMBER : CP/136/(IB)/2018
NAME OF THE PETITIONER(S) : PEGAFONE TRADING LTD
NAME OF THE RESPONDENT(S) : ROC KERALA
UNDER SECTION : 252

S.No.	NAME (IN CAPITAL)	DESIGNATION	SIGNATURE
		REPRESENTATION BY WHOM	

MOHD HAZEEM HS

PCS



ORDER

Representative for the Applicant present. No representation on behalf of the RoC, Kerala. Heard the representative for the Applicant and perused the record placed on file. RoC, Kerala has filed reply wherein it has clearly been mentioned that he has no objection in restoring the name of the Company back to the Register of Companies.

Representative for the Applicant submitted that the Company is carrying on its business and he has referred to the acknowledgments pertaining to the income tax returns filed, which reflect that the Applicant has been paying the income tax regularly that can happen only when the Company is carrying on its business and making profits. The same is evidencing that the Company is carrying on its business. However, the annual returns and balance sheets have not been filed by the Applicant Company, right from the date of its incorporation. The same could be made good, if the name of the Company is restored to the Register of Companies. Therefore, the Application is admitted. The RoC concerned is directed to restore the name of the Company to the Register of Companies. The Applicant is directed to file all the pending annual returns and balance sheets, within the time that may be provided by the concerned RoC. A fine amounting to the tune of Rs.10,000/- is imposed on the Applicant Company, which shall be paid to the concerned Office of the RoC as per procedure prescribed for incurring expenses to restore the name of the Company to the Register of Companies.

The Applicant is also directed to file an affidavit before the RoC, deposing therein that during the period of demonetization the accounts of the Company have not been used for depositing tainted money. Accordingly, the application stands **disposed of.**

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(CH. MOHD SHARIEF TARIQ)
MEMBER (JUDICIAL)