

BENCH-I

NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA

Appeal No.697/KB/2017

Present: Hon'ble Member (J), Shri Jinan K.R.

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 9th OCTOBER, 2018, 10:30 A.M.


Name of the Company	Savitri Financial Advisory Pvt.Ltd -Vs-Registrar of Companies, W.B		
Under Section	252(3)		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1. ~~SM~~
 SUMANTRA SARATHI MAHATA
 Practicing Company Secretary

Savitri Financial
 Advisory Pvt Ltd
 ROC WB


 9/10/2018

2. C.M. KARL MARY DROC.

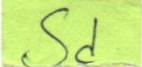

 9/10

ORDER

Ld. PCS filed affidavit of service proving service of notice on ROC and Income Tax Department. This is an appeal under Sec.252(3) of the Companies Act, 2013 filed by a Director of the corporate debtor of the appellant.

Heard Ld. PCS.

By going through the report filed by the ROC, it is understood that the appellant defaulted in filing its Balance Sheet and Annual Returns from the financial year 2011 to 2016. A defaulted Director cannot file any appeal as it is disqualified under Sec.164 (2)(a) of the Companies Act, 2013. The appeal is filed by the Director. Ld. PCS could not convince me that a disqualified Director can file appeal. Hence, the appeal is not made under Sec.252(3) of the Companies Act, 2013. It is liable to be dismissed. However, with the liberty to file fresh appeal in accordance with law.


 Jinan K.R.
 Member (Judicial)

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