

**NATIONAL COMPANY LAW TRIBUNAL, COURT-V, NEW DELHI**  
Appeal **22/252/ND/2021**

Item 505 of 05.07.21

IN THE MATTER OF:

Satendra Kumar  
Rohit Nagar  
[Directors of **M/s ADRO Engineers Pvt. Ltd.**,  
CIN No- U748 99DL 1994 PTC0 60879]

.....Appellant No. 1  
.....Appellant No. 2

Vs

Registrar of Companies,  
IFCI Tower, 61, Nehru Place, N Delhi-110019

.....Respondent No. 1

Income Tax (IT) Dept,  
Delhi High Court, New Delhi-110503

.....Respondent No. 2

Order Delivered on: 22.07.2021

CORAM:

ABNI RANJAN KUMAR SINHA, MEMBER (J)  
K.K. VOHRA, MEMBER (T)

PRESENT:

For Appellants : Advs Aproov Aggarwal and Riya Thomas  
For IT Dept :  
For RoC : ARoC Sweety

**ORDER**

Per K.K. Vohra, Member (T)

1. This Appeal has been filed by Directors of the Company named 'ADRO Engineers Pvt. Ltd.' (the Company) invoking the provisions of Section 252 (3) of the Companies Act, 2013 (the Act) for restoration of the name of the Company in the Register maintained by the Registrar of Companies (RoC).
2. The Major facts are given below:



Date Struck off	08.08.2018
Statement for profit and loss	Revenue from Operations were Rs 5,300 (Pg 56 of Annexure) during FY 2019-20, Rs 5,565 (Pg 64 of Annexure) during FY 2018-19, Rs 5,573 during 2017-18, Rs 6,500 during 2016-17.

3. RoC, in its reply dated 22.03.2021, has not raised any objection. During the previous hearing on 16.02.21, two weeks' time was given to IT Dept to file the report by 30.03.21 but IT Dept did not file its report even after five months. Hearing was concluded on 05.07.21 and order was reserved. The appellant is directed to pay all dues of IT Dept.
4. In view of the fact that the Co has Revenue from Operations from 2016-17 to 2019-20 showing intention to carry on business, the appeal to restore the name of the Company to the Register of RoC is **allowed** u/s 252 subject to payment of costs of Rs 25,000 to the Prime Minister Relief Fund along with Rs 50,000 to the Ministry of Corporate Affairs. Accordingly, the order of RoC dated 08.08.18 to strike off the name of the Co from the Register is hereby set aside. The restoration of the name of the Co in the Register will be subject to the Company's filing all outstanding documents for the defaulting years as required by law and completion of all formalities, including payment of any late fee or other charges. The name of the Co shall then stand restored in the Register of RoC, as if its name had not been struck off.
5. The direction for freezing the Bank Account(s) of the Co, if on this ground, shall consequently be also set aside immediately to enable the Co to carry out its business operation. Compliance of this order for restoration shall be made by the RoC with all its consequential effects within one week of compliance by the Company.
6. Let the copy of the order be served to the parties.

Sd/- 21

**K.K. VOHRA**  
Member (T)

Sd/-

**ABNI RANJAN KUMAR SINHA**  
Member (J)