

NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH
NEW DELHI

C. P. NO. 16/594/2014
CA. NO.

PRESENT: SMT. INA MALHOTRA Hon'ble Member (J)

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF NEW DELHI BENCH OF THE
NATIONAL COMPANY LAW TRIBUNAL ON 06.09.2016**

NAME OF THE COMPANY: M/s. Saini Honore Consulting Pvt. Ltd.

SECTION OF THE COMPANIES ACT: 621A

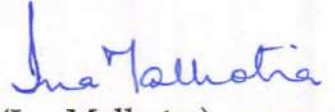
<u>S.NO.</u>	<u>NAME</u>	<u>DESIGNATION</u>	<u>REPRESENTATION</u>	<u>SIGNATURE</u>
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ORDER

The petitioner had filed an application, being 16/594/2014-CLB, under section 621A of the Companies Act, 1956 for compounding of the offence u/s 210 of the aforesaid Act. They had failed to lay the annual accounts of the company before the shareholders for the financial year ending 31.03.2012. This default was made good when the company convened its AGM on 04.12.2012, placing the annual audited accounts before its shareholders. In view of the default having made good, the predecessor Bench vide its order dated 29.03.2014 permitted the compounding of the offence. The fine imposed was duly remitted vide a demand draft and therefore the offence stood compounded. The petitioners were directed to intimate the office of the RoC within seven days of the receipt of the order. However, the same was done belatedly on 3rd of May, 2014.

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2. The petitioners have filed the present application seeking condonation of delay in giving due intimation as required by uploading Form-INC 28. The delay is attributed to certain difficulties faced in uploading Form-28 at the portal of the MCA.
3. As there was no confirmation from the office of the RoC, upon enquiries made on behalf of the petitioners, it was learnt that Form-INC-28 was kept in abeyance as there was no provision for accepting the form if filed beyond the permitted time. As per the office of the RoC, the applicants have to seek condonation of delay from this Bench for uploading Form 28 on 3rd of May, 2014 though they should have taken necessary steps by 10th April, 2014.
4. Be that as it may, since the offence had been compounded and the fine imposed paid, the delay in uploading Form-28 can be condoned, given the fact that certain difficulties have been faced by parties in uploading Forms on the MCA portal.
5. Accordingly, the delay as prayed for stands condoned. Intimation be given to the office of RoC.
6. Application disposed off.


(Ina Malhotra)
Member Judicial