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**NATIONAL COMPANY LAW TRIBUNAL  
HYDERABAD BENCH**

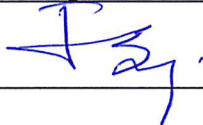
**PRESENT: HON'BLE SHR K. ANANTHA PADMANABHA SWAMY – MEMBER JUDICIAL**  
**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING HELD ON 04.10.2018 AT 10.30 AM**

TRANSFER PETITION NO.	
COMPANY PETITION/APPLICATION NO.	CA NO. 884/252/HDB/2018
NAME OF THE COMPANY	K Sudharshan Reddy Estates Pvt Ltd
NAME OF THE PETITIONER(S)	K Sudharshan Reddy
NAME OF THE RESPONDENT(S)	Registrar Of Companies, Hyderabad
UNDER SECTION	252

**Counsel for Petitioner(s):**

Name of the Counsel(s)	Designation	E-mail & Telephone No.	Signature

**Counsel for Respondent(s):**

Name of the Counsel(s)	Designation	E-mail & Telephone No.	Signature
T. Sujana Kumar Reddy	Adv.	966001435	
y for Roc			

**ORDER**

Order pronounced in Open Court. CA is allowed. Vide separate order.

  
MEMBER JUDICIAL

AS

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
HYDERABAD BENCH, HYDERABAD**

**CA No.884/252/HDB/2018**

U/s. 252 of the Companies Act, 2013

**Order delivered on: 04.10.2018**

**In the matter of  
M/s. K SUDARSHAN REDDY ESTATES PRIVATE  
LIMITED.  
(CIN: U45202TG1995PTC019293)**

**Between:**

Mr K Sudarshan Reddy,  
Plot No. 65,  
Fathebaliyah Nagar,  
Old Alwal, Secunderabad,  
Telangana.

**...Appellant/Shareholder**

Vs.

Registrar of Companies, Hyderabad,  
For the State of Andhra Pradesh & Telangana,  
2<sup>nd</sup> Floor, Corporate Bhawan, GSI Post,  
Tattiannaram, Nagole, Bandlaguda,  
Hyderabad-5000 068,  
Telangana.

**...Respondent**

**Parties/Counsel present:**

*For the Applicant: Mrs.M.S.Mano Ranjani, Advocate*

*For the Respondents: Shri K.Harish Reddy, Advocate.*

**Per: K.ANANTHA PADMANABHA SWAMY, MEMBER(JUDICIAL)**

1. This is a Company Application  
No.884/252/HDB/2018 filed under section 252 of  
the Companies Act, 2013 (hereinafter called as the

Act) filed by the Appellant/Shareholder of the Company (M/s.K Sudarshan Reddy Estates Private Limited) seeking direction to the Registrar of Company, Hyderabad (the RoC) to restore the Company in the Register of Companies.

2. Brief averments of the Application are that the Company was incorporated on 27.01.1995 under the Companies Act, 1956 in the state of erstwhile Andhra Pradesh. The Applicant is the Promoter Shareholder of the Company.
3. The main objectives of the Company are to carry on the agriculture activity and purchase and sale of agricultural products. To construct, sell, lease or otherwise dispose land houses, buildings and property of the company or others etc.
4. The Authorised Share Capital of the Company is Rs.5,00,000/- (Rupees Five Lakhs Only) divided into 5000 (Five thousand only) equity shares of Rs.100/- each and the issued, Subscribed & Paid up capital of the Company is Rs.5,00,000/- (Rupees Five Lakhs Only) divided into 5000 Equity Shares of Rs.100/- each.
5. The Company has failed to file the Annual Returns as well as Financial Statements for the financial years from 2005-06 onwards. The reasons for non-filing of returns was due to inadvertence but not wilful nor wanton. The Respondent has therefore initiated action under section 248 of the Companies Act, 2013 (hereinafter referred to as 'the Act') for striking off the name of the Company from the Register of

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Companies and consequently the name of the Company was struck off from the Register of Companies vide **Order No.ROC (H)/AP&TG/248(5)/STK-7/Ph-II/15659/2018** and was published in the Gazette of India on 11.11.2017 under Sl.No.6097.

6. The Company is still carrying on its business and its activities and therefore, the present Application is filed for restoration of the name of the Company in the Register of Companies maintained by Registrar of Companies.
7. The Applicant filed an affidavit stating that the Company did not have a Bank Account operating during the demonetisation period and that no unaccounted cash was deposited by the Company in its Bank Account during the demonetisation period i.e 08.11.2016 to 30.12.2016.
8. The Registrar of Companies, Hyderabad who is Respondent herein, has filed counter affidavit wherein the details of the Company such as date of incorporation, address of the registered office and its main objects as per the memorandum of association are mentioned. While submitting the above facts the ROC has stated that the Application may be considered on merits and to direct the Applicant to file all pending financial statements and Annual Returns and pass orders imposing costs on the Applicant. The RoC has inter-alia mentioned in the counter statement that the Company be directed to file an undertaking stating that the accounts of the Company were not

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used as means to transact tainted money during the period of demonetisation.

9. Heard. Perused pleadings and the documents filed in support of the contention of both the parties.

**ORDER**

1. Having satisfied with the reasons as mentioned in the Application, the Tribunal is of the opinion that it would be just and proper to order **restoration of the name of the Company in the Register of Companies.**
2. The Company shall file all the pending financial statements and Annual Returns with ROC as per the Act and Rules made there under. The Company has filed an affidavit stating that the Company was not involved in money laundering activities during the demonetisation period or any unlawful activities during the relevant period.
3. Further the Company is directed to pay **the cost of Rs.10,000/- (Rupees Ten Thousand Only)** to the ROC while submitting the documents. This is for the expenses to be incurred by ROC for publication in the Official Gazette and for other related expenses. Accordingly the **Application is allowed.**
4. The ROC is directed to restore the Company in the Register of Companies. The Applicant is directed **to place this order with ROC within 30 days** from the date of receipt of this order.



5. Accordingly the Company Application  
No.884/252/HDB/2018 stands **disposed of**.



**K.ANANTHA PADMANABHA SWAMY**

**Member (Judicial)**