

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
MUMBAI BENCH**

**CP No.1220/(MB)2018**

Under section 252(1) of Companies  
Act, 2013

In the matter of

AARYANANDI INFRASTRUCTURES PVT. LTD.  
Flat No. H 12, CS No.5, Nath Pride,  
Samarth Nagar,  
Solapur - 413001.

... Petitioner

v/s.

The Registrar of Companies, Pune  
Block A, 1<sup>st</sup> & 2<sup>nd</sup> Floor,  
PCNTDA Green Building,  
Near Akurdi Railway Station,  
Akurdi,  
Pune - 411044

... Respondent.

Order delivered on 06.08.2018

Coram:

Hon'ble Shri B.S.V. Prakash Kumar, Member (Judicial)

Hon'ble Shri Ravikumar Duraisamy, Member (Technical)

For the Petitioner: Mr. Suyog Agarkar, CS

For the Respondent: None present.

*Per B.S.V. PRAKASH KUMAR, Member (Judicial)*

**ORDER**

1. This Company Petition is filed by the Petitioner Company Aaryanandi Infrastructure Private Limited, under Section 252(1) of the Companies Act, 2013 on 17.04.2018 seeking relief against the respondent, inter alia among other things, to restore the name of the

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company in the Register of companies maintained by the Registrar of Companies, Pune.

2. The grievance of the Petitioner is that the company was struck off under section 248 of the Companies Act, 2013.

3. The Petitioner says that the company was incorporated on 05.01.2010 and ever since Company has been functioning and company never became defunct. Due to lack of Professional support, company could not comply with the statutory compliances. The company has failed to file its statutory returns and financials only for the financial years 2015-16 and 2016-17.

4. The Petitioner has enclosed the Audited accounts for the financial years 2015-16 and 2016-17. The Petitioner has filed copies of ITR Acknowledgement stating that company has filed Income-tax Return for the Assessment Year 2017-18, copies of Certificate of GST Registration, Central Sales Tax (Registration & Turnover) Rules, 1957 and Maharashtra Value Added Tax Act, 2002 (MVAT), copies of Bank Statement of Samarth Sahkari Bank Ltd., Solapur Branch, for the period 1.4.2016 to 31.3.2017 to show that the company is actively engaged in the business and operation.

5. On hearing the submissions of the Professional appearing on behalf of Petitioner, perusal of the documents submitted, it is clear that the Company is in operation and unless otherwise the relief sought is granted to the company, grave hardship and irreparable loss shall be

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caused to the said company, members, employees and its various creditors.

6. Accordingly, the Respondent is directed to restore the name of the Petitioner company forthwith in the Register of Companies subject to payment of a sum of Rs.1,00,000 (Rupees One Lakh only) as cost payable within 10 days to NCLT, Mumbai and the company shall file all the pending financial statements and annual returns with the Respondent and pay applicable fees and additional fees, if any, within a period of 30 days from the date of receipt of copy of this order, failing which, this order will stand vacated automatically.

7. The Petition is disposed of in the above terms.

SD/-

**RAVIKUMAR DURAISAMY**  
Member (Technical)

SD/-

**B.S.V. PRAKASH KUMAR**  
Member (Judicial)