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BENCH-II

NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA

C.P.No.214/KB/2017

CORAM: Hon'ble Member (J) Ms. Manorama Kumari

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 24th July, 2017, 10.30 A.M

Name of the Company	Bishwanath Agarwala (P.B. Cement Pvt.Ltd.) -Versus- Registrar of Companies, W.B		
Under Section	252		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

i. RATITA PARAN BISWAL Adv *feh*

feh
24/7/17

24 07 2017- C.P.No.214/KB/2017 – Bishwanath Agarwala (PB Cement Pvt. Ltd.)
Vs. Registrar of Companies, West Bengal.

ORDER

Ld. Lawyer on behalf of the petitioner is present.

Petitioner has filed this petition under section 252 of the Companies Act, 2013. Heard the petitioner. He has fairly submitted that due to inadvertence he did not quote the specific clause i.e. 252 Sub Clause (3). A report from the ROC is also received. It is found that petitioner has defaulted in filing their statutory compliance since 2011 till 2016.

Heard, perused the report of the Registrar of Companies West Bengal dated 18th April 2017/19th May, 2017 and observed that there is a mismatch in the calculation sheet, as it is written in the report that for restoration of the company, the petitioner company may be directed to file all its arrear documents including its balance sheets and annual returns upto the year 2016 with normal filing fees and additional fees as applicable in the online mode of Ministry of Corporate Affairs (MCA)/21 system; whereas in the calculation sheet as per Annexure of the Report the fees and additional fees has been shown to be paid for the year 2017 also.

The ROC is directed to clarify the actual position of the calculation sheet within 7 days from the date of this order.

Fixed on 10.08.2017.

MANORAMA KUMARI
MEMBER(J)