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**NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH**

PRESENT: HON'BLE SHRI RAJESWARA RAO VITTANALA – MEMBER (JUDICIAL)

PRESENT: HON'BLE SHRI RAVIKUMAR DURAISAMY – MEMBER (TECHNICAL)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING HELD ON 18.10.2017 AT 10.30 AM

TRANSFER PETITION NO.	
COMPANY PETITION/APPLICATION NO.	CANo.123/252/HDB/2017
NAME OF THE COMPANY	Registrar of Company, Hyderabad
NAME OF THE PETITIONER (S)	Safeguard Manpower Services Private Limited
NAME OF THE RESPONDENT(S)	Registrar of Company, Hyderabad
UNDER SECTION	252

Counsel for TRANSFEROR/~~DE~~MERGER COMPANY *pehane*

Name of the Counsel(s)	Designation	E-mail & Telephone No.	Signature
<i>Shri Prati Duggala</i>	<i>Advocate</i>	<i>7331108705</i>	<i>[Signature]</i>

Counsel for TRANSFEREE/RESULTING COMPANY

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

Sl.No.17

CA No. 123/252/HDB/2017


Safeguard Manpower Services Private Limited vs. The Registrar of Companies

Date of Order : 18.10.2017

ORDER

The present company application bearing CA No. 123/252/HDB/2017 is filed by Safeguard Manpower Services Private Limited, seeking to direct Registrar of Companies (RoC) for restoration of the name of the Applicant Company in the Registrar of Companies maintained by the RoC.

Heard Ms. Siripreeti Duggirala, Learned Counsel for the Applicant Company and submit there are 201 workmen in the Applicant Company, working at different client companies. The Applicant Company is having its bank accounts in Current Account in AXIS Bank, HDFC and SBI Bank. The Company was informed by its bankers vide their notices dated 13.09.2017, 03.10.2017 and 05.10.2017 respectively, that the operations of the Applicant's Bank accounts are being suspended / frozen as per instructions of Ministry of Corporate Affairs and Finance Department due to striking off of the name of the Applicant company by the RoC. The Learned Counsel for the Applicant further submit that due to above action of the bankers of the Company, the Applicant Company is unable to pay wages for the month of September and there is a lot of chaos among the workmen with regard to wages and employment. The total amount of salaries and wages under statutory payables for September, 2017, amounts to Rs. 15,74,401/-. Further, she also submits that workmen of the Company are suffering a lot, as they are from poor and lower middle class background and they are dependent only on the wages paid by the Applicant Company for their hard work. Therefore, the Tribunal may take up on priority basis and pass appropriate orders.



As per Government of India Instructions, a minimum of 15 days has to be given to the RoC for furnishing necessary instructions on the issue. Therefore, we order notice to Respondent No.1 and also direct the Applicant Company to submit all the necessary documents by paying necessary fee, documents as required by RoC and RoC is directed to take necessary action to make the Company status "ACTIVE" as as required under the Companies Act, which lead to the striking of the Company in question, so as to implead documents of the Company.

Post the case on 26.10.2017.



Member (T)



Member (J)