

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL  
MUMBAI BENCH

CP No.389/2017

Under section 252(1) of CA 2013

In the matter of

CP India Test Systems Pvt. Ltd.

... Petitioner

v/s.

The Registrar of Companies,

PMT Building Stock Exchange, 3<sup>rd</sup> floor,

Deccan Gymkhana, Pune 411004, MH IN.

.... Respondent.

Order delivered on 16.11.2017

Coram:

Hon'ble Mr. M. K. Shrawat, Member (Judicial)

Hon'ble Mr. V. Nallasenapathy, Member (Technical)

For the Petitioner: Mr. Akshay Chandrakant Auti, Practicing Company Secretary

For the Respondent: Mr. S. P. Kumar, Registrar of Companies, Mumbai.

*Per: V. Nallasenapathy, Member (Technical)*

**ORDER**

1. This company petition is filed by M/s. CP India Test Systems Private Limited seeking relief against the respondent to restore the name of the company in the Register of Companies.
2. The Petitioners states that the Respondent struck off the name of the Company in the Register of Companies, maintained by it without giving any notice to the Company or to the Directors.
3. The Petitioner Company has filed the Bank Statement of HSBC Bank for period from April 2017 to July, 2017 wherein it is noticed that the company has paid salary and other expenses, which shows that the company is in operation during the relevant period.



4. The Petitioner submits that he will file the pending financial statements as required under the Companies Act, 2013.
5. On hearing the submissions of the Petitioner, the Registrar of Companies, Mumbai who says that the name of the company may be restored with costs and on perusing the documents filed, it is clear that the Company is in operation, however, due to non-filing of the financials the name was struck off from the Register of companies, this Bench is of the view that the name of the company is to be restored to the Register of Companies.
6. Accordingly, the Respondent is directed to restore the name of the company forthwith in the Register of Companies maintained by him subject to the condition the Petitioner Company will deposit a sum of ₹10,000 as cost immediately and will file the pending financial statements and annual returns with the Respondent within a period of 45 days from the date of receipt of this order, failing which this order will stand withdrawn.
7. The Petition is disposed of in the above terms.

Sd/-

V. NALLASENAPATHY  
Member (Technical)

Sd/-

M. K. SHRAWAT  
Member (Judicial)