

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
SINGLE BENCH
NEW DELHI

APPLICATION No. 48/C-III/ND/2017
IN
CA.No. 32/C-III/ND/2017
IN
CP. No. 16/103/ND/2017

SECTION: UNDER SECTION 441 (285) OF THE COMPANIES ACT, 2013

IN THE MATTER OF:

M/s. PAHUJA TAKII SEED LIMITED & ORS.

.....Petitioner

V/s.

...Respondent

Order delivered on 11.10.2017

Coram:

R. VARADHARAJAN
Hon'ble Member (Judicial)

For the Petitioner : Mr. Anirudh Das, Advocate
Mr. Aditya Mukherjee, Advocate

For the Respondent :

ORDER

Company Petition No. 16/103/ND/2017 was filed by Petitioner Applicant under Section 441 of the Companies Act 2013/ Section 621A of the Companies Act, 1956 seeking for compounding in relation to violation of Section 285 of the



Companies Act, 1956 and Section 173 of the Companies Act, 2013. In relation to the above Company Petition, this Tribunal had passed an Order dated 18.08.2017 in relation to the applicants for the offences committed and aggregate fine of Rs. 3,12,000/- was imposed giving individual break up of fine levied and subject to the compliance of the order within a period of 3 weeks, it was stated that the offence will stand compounded. Subsequent to the above said order dated 18.08.2017, the applicants herein filed application in CA No. 32/C-3/ND/2017 wherein further period of 3 weeks was sought for to comply with the order dated 18.08.2017. However, taking into consideration the facts and circumstances, it was extended by this Tribunal by a further period of 2 weeks vide its order dated 06.09.2017.

2. The present application is filed to bring forth the fact that the applicants have complied with the orders dated 18.08.2017 read with order dated 06.09.2017 by remitting the fine through Demand Drafts, and the details of which are as here under:-

- i) Pahuja Takii Seed Limited - Demand Draft No. 497244 dated 20.09.2017 for Rs. 15,00,000/- drawn on Deutsche Bank; and the



Demand Draft No. 497243 dated 20.09.2017 for Rs. 233,050/- drawn
on Deutsche Bank.

- ii) Mr. Osamu Sugimura – Demand Draft No. 086932 dated 20.09.2017
for Rs. 16,91,350/- drawn on Thank Bank of Tokyo-Mitsubishi UFJ,
Ltd.,
 - iii) Mr. Masaki Kashiwagi – Demand Draft No. 086931 dated 20.09.2017
for Rs. 16,91,350/- drawn on Thank Bank of Tokyo – Mitsubishi UFJ,
Ltd.;
 - iv) Mr. Kazuo Hatsuda – Demand Draft No. 086933 dated 20.09.2017 for
Rs. 10,99,550/- drawn on Thank Bank of Tokyo-Mitsubishi UFJ, Ltd.,
3. It is further represented in the application filed as above that the drafts
in relation to the payment of fine has been taken consolidated for each of the
applicant in relation to the fine as imposed by this Tribunal in C.P. No.
16/101/ND/17 to 16/105/ND/2017. A copy of the draft with respect to each
of the applicants has also been enclosed drawn in favour of Pay and Accounts
Officer, Ministry of Corporate Affairs, New Delhi.
4. The copy of the above drafts are taken on record along with this
application file for reporting compliance and taking into consideration the



remittance of fine as imposed within the period of 5 weeks, the offences stand compounded in relation to the applicants who have duly remitted the fine imposed. Taking into consideration the above order the Respondent is directed to act as per the provisions of the Companies Act, 2013, if any at its end. Let the file be sent to the Record Room after adopting due formalities.

 11/10/17
(R. VARADHARAJAN)
MEMBER (JUDICIAL)