

IN THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH

CP No.715/2017

Under section 252 of CA 2013

In the matter of

Propelis Consulting India
Pvt. Ltd. ... Petitioner 1
Ashutosh Avinash Muglikar
... Petitioner 2

v/s.

The Registrar of Companies,
PMT Commercial Building,
3rd floor, Deccan Gymkhana,
Pune – 3411004 ... Respondent.

Order delivered on 19.12.2017

Coram:

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

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

For the Petitioner: Mr. Ashutosh Avinash Muglikar, Petitioner-in-Person
For the Respondent: Mr. Neelambuj, CP - Registrar of Companies,
Mumbai, on behalf of ROC, Pune.

Per: V. Nallasenapathy, Member (Technical)

ORDER

1. This company petition is filed by the Petitioner seeking relief against the respondent to restore the name of the company in the Register of Companies.
2. The Petitioner submits that on its failure to file financial statements and Annual Returns for the financial year 2015-16, the Respondent struck off the company from Register of Companies maintained by him as provided under section 248 of the Companies Act, 2013. The Petitioner further states that the company is actively doing business and the financial

statements clearing shows that the company has customer base, vendor base, employees and salary to the employees were being paid regularly. He has also enclosed copy of sample invoices raised by the company. He has further stated that the company will file all the outstanding statutory documents for the year ending 31.3.2016 and 31.3.2017 if the name of the company is restored back.

3. On hearing the submissions of the Professional appearing on behalf of Petitioner, the Company Prosecutor for Registrar of Companies, Mumbai representing ROC, Pune, 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.

4. 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 ₹25,000.00 as cost immediately payable to Registrar of Companies, Pune and will file the pending financial statements and annual returns with the Respondent within a period of 30 days from the date of receipt of this order, failing which this order will stand vacated automatically.

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

Sd/-

V. NALLASENAPATHY
Member, (Technical)

Sd/-

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