

IN THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH

CP No. 709/2017

Under section 252 of CA 2013

In the matter of

Harshawardhan Vinayak Dafre
Director of
Right Path Lifestyle Pvt. Ltd.
E-562, Clover Park View,
Lane No. 7, South Main
Road, Koregaon Park,
Pune- 411 001. ...Petitioner

V/s.

The Registrar of Companies, Pune
3rd Floor, PMT Building,
Deccan Gymkhana,
Pune- 411 004. ... Respondent

Order delivered on 18.12.2017

Coram:

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

For the Petitioner: The professional for the Petitioner appeared though he has not marked his appearance.

For the Respondent: None

Per: V. Nallasenapathy, Member (Technical)

ORDER

1. This company petition is filed by Mr. Harshawardhan Vinayak Dafre, Director of Right Path Lifestyle Pvt. Ltd. primarily seeking relief against the respondent to restore the name of the company in the register of companies maintained by the Registrar of Companies, Pune.
2. The Petition reveals that the Respondent after giving due notice to the Petitioner on 11.3.2017, struck off the company from the Register of Members

maintained by him. The Petition reveals that the Company has not filed Annual Returns and Financial Statements for the Financial years 31.3.2015 and 31.3.2016. The Petitioner adds that the Company has made all the arrangements for completing the pending annual filings with the Respondent. The

3. The Petitioner further revealed that the company is a going concern doing business and not a shell company. The Petitioner has enclosed the Bank Statements to prove that the Company is a going concern.
4. On hearing the submissions of the Professional appearing on behalf of Petitioner, Report of the Registrar of Companies, Pune and on perusing the documents filed, it is clear that the Company is in operation and unless otherwise the relief is given to the company, the employees and the customers of the company will be put to great hardship.
5. 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 with ROC, 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.
6. The Petition is disposed of in the above terms.

Sd/-

V. NALLASENAPATHY
Member (Technical)

Sd/-

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