

TRANSFER COMPANY APPLICATION NO. 223/621A1CLBIMB/2015

And

PRESENT FOR THE APPLICANT:-

V. B. Phadke - Practising Company Secretary

Date of Hearing: 17.05.2016

Applicant in Default:-

M/s. Starent Networks (India) Pvt. Ltd., Mr. Mark Thomas Gorman – Director, Mr. Evan Barry Sloves – Director and Mr. Joseph Vattarambil Anthony – Director.

Section 210 of the Companies Act, 1956

1. As per the submission made in the Report of ROC, Pune and as per the submissions made in the Compounding Application, it is observed that for the financial year ending on 31st March, 2012 and financial year ending 31st March, 2013, the Annual General Meetings of the Company could not be held within the due dates. As such, the Petitioners have defaulted in laying of annual accounts at the respective Annual General Meetings within the period of six months from the date of closure of respective financial years in accordance with the provisions of section 210(1). The complete chart of showing details of default/delay committed by the Petitioners u/s. 210(1) for the respective financial years, which is punishable u/s. 210(5), is attached as below:

[illegible]

The Registrar of Companies, Pune forwarded the compounding application vide his letter No.ROCP/STA/621A/444 dated 24/02/2015 and the same has been treated as Company Application No. 223/621A/CLB/MB/2015.

2. The undersigned, the then Presiding Officer, of erstwhile Company Law Board had gone through the application and the report submitted by the Registrar of Companies, Pune and also the submissions made by the Authorised Representative at the time of hearing and noted that application for compounding of offence committed under Section 210 of the Companies Act, 1956, merited consideration.

3. Accordingly, the offence committed under section 210 of the Companies Act, 1956 as stated and explained above has been ordered on 17.05.2016 to be compounded against the Company and its three Directors on payment of Rs.10,000/- by each.

4. Subsequently, vide Notification No. A-45011/14/2016-Ad. IV dated 01.06.2016, issued by the Ministry of Corporate Affairs, New Delhi, the Central Government has constituted the National Company Law Tribunal and dissolved the erstwhile Company Law Board w.e.f. 01.06.2016.

5. The applicants above named have remitted the total compounding fees of Rs.40,000/- with the newly constituted office of the National Company Law Tribunal, Mumbai Bench i.e. after dissolution of the Company Law Board.

6. Having regard to the facts and circumstances of the case, the offence committed under section 210 of the Companies Act, 1956 by the Company and its three Directors named above, is hereby compounded.

7. Therefore, Registrar of Companies, Mumbai is hereby directed to take further action as provided under section 621A(3)(c)(d) of the Companies Act, 1956.

Ordered Accordingly

Sd/-
B.S.V. PRAKASH KUMAR
Member (Judicial)

Dated this 30th June, 2017