

National Company Law Tribunal

Allahabad Bench

CP NO. 91/ALD/2017

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 07.11.2017

NAME OF THE COMPANY: Mansoor Concrete Pipe Pvt. Ltd. v/s ROC, Kanpur U.P.

SECTION OF THE COMPANIES ACT/I & B CODE: 252(560 of Companies Act, 1956) of Companies Act, 2013.

<u>Sl. NO.</u>	<u>Name</u>	<u>Designation</u>	<u>Representation</u>	<u>Signature</u>
1.	Shahid Kazmi	Petitioner Council	Petitioner	Sh.
2.	Krishna Dev Vyas	Adv.	ROC	Qe

CP NO.91/ALD/2017

Sh. Shahid Kazmi, Advocate for the petitioner. Sh. Krishna Dev Vyas, CGSC representing the ROC.

The present case is taken up for hearing and for passing appropriate order in respect of the application filed U/s 252(560 of the Companies Act, 1956) of the Companies Act, 2013.

It is submitted before us that the order impugned has been passed by the ROC, Kanpur on 18.04.2017 by striking off the name of the respondent company from its register, which is impugned in the present petition. The ground for deletion of the name of the company as stated in the report of the ROC are such that the company has failed to file its return from 2005-06 onwards in the portal Ministry of Corporate Affairs.

Notwithstanding the above, the office of the ROC also expressed its conditional no objection contending such the name of the petitioner company can be restored in its register subject to compliance of e-filing of all pending statutory

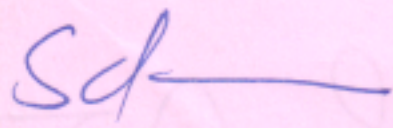
returns within a period of three months from the date of the order. That apart this Court to impose a cost on the petitioner payable in favour of the Central Government.

At this juncture the counsel appearing for the petitioner would explained that the company could not be able to file its return for the year 2005-06 because the MCA portal was first started only in 2006 and if there is some omission found on the part of the company that should be condoned.

Having heard the submission at length of both the counsels, we are of the view the present application can be allowed as it deserves restoration of the name of the company. The order in detail is recorded separately. The respondent is directed to restore the name of the company on compliance of such condition that the company shall pay a cost of Rs.25,000/- in favour of the Central Government through the office of ROC and further to comply with all statutory requirements by filing statutory return within a period of three months from the date of receipt of the copy of the order. A copy of this order further be communicated to the office of the ROC, Kanpur. The present company petition is conditionally allowed and accordingly stands disposed of.

Dated:07.11.2017

Typed by:  
*Kavya Prakash Srivastava*  
(Stenographer)

  
**H.P. Chaturvedi,**  
**Member (Judicial)**