

**NATIONAL COMPANY LAW TRIBUNAL  
CHANDIGARH BENCH, CHANDIGARH**

**CP NO. 16/31/2017  
RT CP NO. 178/Chd/Hry/2017**

**In the matter of :**

Inditex Trent Retail India Pvt. Ltd. and others ....Petitioner-companies.

**Present:** Mr. Manish Gupta, Practicing Company Secretary.

This is a suo moto petition filed for composition of offence in terms of section 441 of the Companies Act, 2013. The Authorised Representative submits that there is violation of Section 138 of the Companies Act, 2013 and the penalty is prescribed for such a violation in Section 450 of the said Act as there is no other provisions specifically providing for the penalty for the said violations. The Authorised Representative further submits that Assistant Registrar of Companies, NCT of Delhi and Haryana has already filed his report dated 17.02.2017. It is further contended that the composition has been prayed for in respect of three parties i.e. the Company, the Managing Director and the Company Secretary. He further contends that Mr. Ayush Jain Company Secretary was appointed only on 16.10.2015 though there was another Company Secretary before that.

The matter be listed for hearing on 21.08.2017. Notice of the date of hearing be sent to the Registrar of Companies, NCT of Delhi and Haryana. The Authorised Representative for the petitioner-company would collect the notice from the Registry and send the notice to Registrar of Companies, NCT of Delhi and Haryana by Speed Post and file affidavit stating compliance along with the postal receipt and Track Report at least three days before the date fixed. The petitioner is further directed to file affidavit stating name and

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*(Signature)*

address of the Company Secretary who was employed by the Company before  
16.10.2015.

*Sdf*  
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(Justice R.P.Nagrath)  
Member (Judicial)

June 30, 2017.  
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