

IN THE NATIONAL COMPANY LAW TRIBUNAL  
DIVISION BENCH, CHENNAI

CP/100(252)/2017

Under Section 252 of the Companies Act, 2013

In the matter of  
**M/s.Teamwork Developers Private Limited**  
**Vs.**  
**Registrar of Companies, Chennai, Tamilnadu.**

Order delivered on 21 .12.2017

**CORAM**

**K. ANANTHA PADMANABHA SWAMY, MEMBER (J)**  
**S VIJAYARAGHAVAN, MEMBER (T)**

*For the Petitioner: Mr.P.Raja Prabu, CA*

*For the Respondents: Mr.B.Sarath Babu, Representative of ROC*

**PER: K.ANANTHA PADMANABHA SWAMY, MEMBER(J)**

**ORDER**

1. This is an application No.100/2017 filed under Section 252 of the Companies Act, 2013 (hereinafter called as the Act) filed by M/s.Teamwork Developers Private Limited (hereinafter called as the Company) seeking a direction to the Registrar of Companies, Tamilnadu, Chennai (the ROC) to restore the Company in the Registrar of Companies.

2. Brief averments of the application are that the Company was incorporated on 03.02.2012 in the State of Tamil Nadu and the authorised capital of the Company is Rs.5,00,000/- divided into 50,000 equity shares of Rs.10/- each and the paid up

capital of the Company is Rs.1, 50,000/- divided into 15,000 equity shares of Rs.10/- each. The Company is engaged in the business of Civil Engineers, architects and all types of structural and pilling engineering work developing related business for nearly 6 years. The business of the applicant is successful and the applicant has also been filing its income tax returns every year.

3. The Company has not filed balance sheet and annual returns from the financial year ending 31.03.2013 onwards. On 07.04.2017 the applicant received the Notice in Form STK 1 dated 22/03/2017 from the Registrar of Companies, Tamil Nadu, Chennai. ROC Chennai intimating that the company has been “struck off” in the Register of Companies as per the Notice No.ROC/S.248/Stk1/2017/SK/BS/VR of MCA in form No.STK-1. The Company is still carrying on its business and its activities and therefore the present application is filed for restoration of the name of the company in the Register of Companies.

4. The petitioner submitted that non-filing of the balance sheet and annual returns from the financial year ending 31.03.2013 onwards is only due to administrative lapses and confirms the availability of all audited financial statements upto date and undertakes to update the filing of the pending annual returns and

financial statements with the Registrar of Companies within such time as may be allowed.

5. The ROC, who is respondent herein, has filed counter affidavit wherein the details of the Company such as date of incorporation, address of the registered office and its main objects as per the memorandum of association are mentioned. While submitting the above facts the ROC has stated that the application may be considered on merits and to direct the applicant to file all pending financial statements and annual returns and pass orders imposing costs on the applicant. The ROC has inter-alia mentioned in the counter statement that the Company be directed to file an undertaking stating that the accounts of the company was not used as means to transact tainted money during the period of demonetisation.

6. Heard. Perused pleadings and the documents filed in support of the contention of the both parties.


### **ORDER**

1. Having satisfied with the reasons mentioned above, the Tribunal is of the opinion that it would be just and proper to order **restoration of the name of the Company in the Register of Companies.**

2. The Company shall file all the pending financial statements and annual returns with ROC as per the Act and Rules made thereunder besides filing an affidavit stating that the Company was not involved in money laundering activities during the demonetization period or any unlawful activities during the relevant period.
3. Further the applicant company is directed to pay **the cost of Rs.10,000/-** (Rupees ten thousand only) to the ROC while submitting the documents. This is for the expenses incurred by ROC for publication in the Official Gazette and for other related expenses. Accordingly the **application is allowed.**
4. The ROC is directed to restore the Company in the Registrar of Companies. The applicant is directed to **place this order with ROC within 30 days** from the date of receipt of this order.

Company Petition No. CP/100(252)/2017 is hereby **disposed** of.

*S. Vijayaraghavan*  
(S.VIJAYARAGHAVAN)  
MEMBER (TECHNICAL)

  
(K.ANANTHA PADMANABHA SWAMY)  
MEMBER (JUDICIAL)

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