

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD**

**CA No.4/441/HDB/2017**

**Date of Order: 08.03.2017**

**Between:**



Kancherla Medical Services Private Limited  
(Represented by Mr. Venkatesh Kurapati)  
Flat No. 504, Challa Pride, D.No.7-2-1735 & 1813  
Czech colony, Sanath Nagar  
Hyderabad – 500018, Telangana

..... Applicant

**AND**

The Registrar of Companies  
2<sup>nd</sup> Floor, Corporate Bhawan  
Bandlaguda, Nagole  
Tattiannaram Village  
Hayat Nagar Mandal, Ranga Reddy District  
Hyderabad – 500068

... Respondent

Counsel for the Applicant:

Sh.A.Nagaraj Kumar

**CORAM:**

Hon'ble Mr. Rajeswara Rao Vittanala, Member (Judicial)

Hon'ble Mr. Ravikumar Duraisamy, Member (Technical)

**ORDER**

**(As per Rajeswara Rao Vittanala, Member (J))**

1. Heard Sh.A.Nagaraj Kumar, Learned Counsel for Petitioner.
2. The present application has been filed under Section 441 of the Companies Act, 2013, read with Rule 88 of the National Company Law Tribunal Rules, 2016, for compounding of offence committed under sub-section 2 of Section 185 of the Companies Act, 2013, by interalia seeking the Tribunal to dispose of the application by declaring that there is no



violation or contravention, requiring compounding of the offence and, in case, there is a contravention of Section 185 of the Companies Act, 2013, it may be compounded on payment of nominal/minimum fees by the Applicant Company.

3. Case was heard on 22.02.2017, and posted to today at the request of Learned Counsel for the Petitioner.



4. The Registrar of Companies (RoC) furnished a report vide ROCH/LEGAL/Sec185(2)/441/KMSPL/STA(CK)/2017 dated 24.01.2017, by affirming details of Application and other violation, but it has submitted that though the Company is regular in filing Annual Returns and Balance Sheets, the Applicant has not admitted violation in question.

5. The learned counsel for the Petitioner wanted to withdraw the Petition with a liberty to approach Tribunal as and when required.

6. We have considered the submission of Learned Counsel for Petitioner and we are inclined to accept the submissions of learned counsel for Petitioner. Hence, CA No. 4/441/HDB/2017 is disposed of as "withdrawn" by granting liberty to the applicant to file the Application as and when the Applicant wants to file a case for the same cause of action, in accordance with law.

Sd/-

**RAVIKUMAR DURASAMY**

**MEMBER (T)**

Sd/-

**RAJESWARA RAO VITTANALA**

**MEMBER (J)**

*V. Annapoorna*  
**V. ANNA POORNA**  
 Asst. DIRECTOR  
 NCLT, HYDERABAD - 68