

**IN THE NATIONAL COMPANY LAW TRIBUNAL :  
HYDERABAD BENCH : AT HYDERABAD**

C.A.No.SR/3976/252/HDB/2017  
U/s 252 of the Companies Act, 2013

**In the matter of:**

M/s. Datasmart Eservices Private Limited  
601, Al-Hamra Residency,  
Behind IBP Petrol Station,  
Asifnagar,  
Hyderabad -500 028.

**CERTIFIED TO BE TRUE COPY  
OF THE ORIGINAL**

.....Applicant

Versus

The Registrar of Companies,  
2<sup>nd</sup> Floor, Corporate Bhavan,  
Bandlaguda, Nagole,  
Hyderabad - 500 068.  
Telangana.

... Respondent

Date of Order : 10-11-2017

**CORAM:**

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

**Parties / Counsels Present:**

For Petitioner	:	None appeared
For Respondent	:	None appeared

Per: Rajeswara Rao Vittanala, Member (Judicial)

**ORDER**

1. The Company Application bearing C.A.No.SR/3976/252/HDB/2017 is filed by M/s. Datasmart Eservices Private Limited u/s 252 of the Companies Act, 2013 by interalia seeking the following relief:

“directions may be given to the Registrar of Companies, Andhra Pradesh & Telangana to restore the name of the Company on the Register maintained by Registrar of Companies and grant reasonable time to the Company to file all pending Annual Returns and other documents”



2. Brief facts of the case as stated in application are as follows:

- a. The Company was incorporated on 16.12.2002 with Authorised Capital of Rs.5,00,000/- and later enhanced to Rs.12,00,000/-. The Paid-up Capital is presently Rs.2,50,000/-.
- b. The Company has filed its Annual Returns regularly till 31.03.2014.
- c. The RoC has struck off the name of the Company for non-filing of the Annual Returns for the years 2014-15 and 2015-16. When the Company was tried to file its returns, then only Petitioner Company came to know about the same. It has happened due to oversight of the Accountant.
- d. The Company has not received any written statutory notice or any mail notification u/s 248 (1) prior to taking the penal action of striking off the name of the Company. It is humble request is that not to initiate any steps to remove the name of the Company from Register of Companies.
- e. The Company is continuously in operation as is evidenced by the Bank Statements showing regular transactions from 01.04.2014 to till date. Annual Tax Statements for the year 2014-15 & 2015-16 has been filed with Income Tax Department.
- f. The Company has 13 employees on its rolls, out of which, 9 are software engineers and others are MBA graduates. The closure of the Company will cause enormous harm not only to the Promoters, Directors of the Company but also to the employees and customers of the Company.



3. The case is listed for admission and hearing on 07.11.2017 and 10.11.2017. On both occasions none appeared for Applicant. Therefore, it shows that the Applicant has no interest to prosecute it.



4. In view of the facts and circumstances, C.A.No.S.R.3976/252/HDB/2017 is dismissed for non-prosecution. No order as to costs.

Sd/-

RAVIKUMAR DURAISAMY  
MEMBER (TECHNICAL)

Sd/-

RAJESWARA RAO VITTANALA  
MEMBER (JUDICIAL)

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OF THE ORIGINAL

  
Dy. Regr./Asst. Regr./Court Officer/  
National Company Law Tribunal, Hyderabad Bench

प्रमाणित प्रति  
CERTIFIED TRUE COPY  
केस संख्या  
CASE NUMBER C.A.No.SR/3976/252/HDB/2017  
निर्णय का तारीख  
DATE OF JUDGEMENT 10-11-2017  
प्रति तैयार किया गया तारीख  
COPY MADE READY ON 21-11-2017