

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

CA No.203/252/HDB/2017
U/s 252 of the Companies Act, 2013

In the matter of

Amogha Logistics Private Limited
H.No. 1-28, Madinaguda, Miyapur
Hyderabad, Telangana - 500049

....Applicant

Versus

The Registrar of Companies
2nd Floor, Corporate Bhawan
GSI Post, Tattiannaram, Nagole
Bandlaguda, Hyderabad
Telangana- 500068

...Respondent

Date of order: 17.11.2017

CORAM:

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

Parties Present:

Counsels for the Applicant : Mr. G.S.N.L. Gupta
Company Secretary

Per: Rajeswara Rao Vittalana, Member (Judicial)

ORDER

1. The present Company Petition bearing CA No.203/252/HDB/2017 is filed by Amogha Logistics Private Limited (Applicant) under Section 252 of the Companies Act, 2013, by inter-alia seeking to restore the name of the Company in the Register of Companies by the Registrar of Companies and to grant extension of three months from the

date of the order to complete pending Annual filings i.e. Annual Reports and Annual Returns.

2. Brief facts, leading to filing of the present Company application are as follows:-

- (a) The Company was incorporated on 08.11.2012 under Companies Act, 1956 and the Authorised and paid up capital is Rs. 1,00,000/-
- (b) The main object of the Company is to carry out the business of clearing and forwarding agents, courier and cargo handlers, handling and haulage contractors, warehousemen, common carriers by land, rail, water and air, container agents, to handle goods within the country and outside India.
- (c) The Company has been fully operational, however the same was not so fruitful.
- (d) The Annual filings with RoC, as required under the Companies Act, 1956 was not done by Mr Ramreddy Sherikar and Mr. Govind Reddy Patil, First Directors of the Company. However, when the First Directors resigned and disassociated from the Company with effect from 07.05.2017, Mr Malla Reddy Yerrolla and Mr. Dattu Reddy Sangam became Directors. It is submitted that they are in the process of expanding the scale of operations of the Company, cost control, reduction and effective marketing of services.
- (e) When they planned to file all the pending annual filings, they came to know the fact that the Company was struck off by the Registrar of Companies, Andhra Pradesh and Telangana.
- (f) RoC vide notice no. ROC(H)/248(5)/STK-7/2017 dated 21.07.2017, issued notice of striking off and dissolution.



3. The case was listed for hearing on 9.10.2017, 18.10.2017 and today.
4. Heard Shri G.S.L.N. Gupta, Learned Company Secretary for the Applicant Company.
5. Today, when the case was taken up for hearing, Shri Dattu Reddy Sangam, Director of the Applicant Company submitted that there are numerous inadvertent errors and he intend to file a fresh appeal and requested the Tribunal to permit a memo of withdrawal application, and the memo dated nil received on 16.11.2017 is filed and taken on record.
6. In view of the above facts and circumstances of the case, Company Application bearing CA No. 203/252/HDB/2017 is disposed of as withdrawn, granting liberty to the Applicant to file fresh case in accordance with law. No order as to costs.



Sd/-
RAVIKUMAR DURAISAMY
MEMBER (TECHNICAL)

Sd/-
RAJESWARA RAO VITTANALA
MEMBER (JUDICIAL)

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

प्रमाणित प्रति
CERTIFIED TRUE COPY

केस संख्या
CASE NUMBER *CA No. 203/252/HDB/2017*
निर्णय का तारीख
DATE OF JUDGEMENT *19-11-2017*
प्रति तैयार किया गया तारीख
COPY MADE READY ON *7-12-2017*