

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

CA No.214/252/HDB/2017  
U/s 252 of the Companies Act, 2013

**In the matter of**

Venhan Technologies Private Limited  
Flat No. 202, Amaris Heights,  
Plot No. 3 & 4, R & R Residency Lane,  
Khanampet, Madhapur,  
Telangana- 500081

**...Appellant**

**Versus**

Registrar of Companies, Hyderabad,  
For Andhra Pradesh and Telangana  
2<sup>nd</sup> Floor, Corporate Bhawan, GSI Post  
Nagole, Bandlaguda,  
Hyderabad – 500068

**...Respondent**

**Order Pronounced on: 27.11.2017**

**CORAM**

Hon'ble Shri Rajeswara Rao Vittalala, Member (Judicial)  
Hon'ble Shri Ravikumar Duraisamy, Member (Technical)

**Parties / Counsel present**

For the Appellant :

Shri L. Dhananjay Reddy (PCS)



**Per: Ravikumar Duraisamy, Member (Technical)**

**ORDER**

1. The Present Company Application bearing CA. No. 214/252/HDB/2017, is filed by Venhan Technologies Private Limited under section 252 of the Companies Act, 2013, on 04.09.2017 by inter-alia, praying that this Honourable Tribunal may graciously be pleased to direct the Registrar of Companies, Andhra Pradesh & Telangana, Respondent to restore the name of the Company on the register maintained by him, and the Tribunal may by the order, give such other directions and make such provisions as deemed just for placing the Company and all other persons in the same position as nearly may be as if the name of the Company had not been struck off from the Register of Companies.

**2. Brief facts mentioned in Application:**

The Appellant Company was incorporated as a Venhan Technologies Private Limited in the state of Telangana, on 15.09.2012. The Authorized share capital of the Company is Rs.1,00,000/- (Rupees One Lakh only) divided into 10,000 (Ten Thousand) Equity shares of Rs. 10/- (Rupees Ten only) each. The current issued, subscribed and paid-up capital of the Company is Rs.1,00,000 /- (Rupees One Lakh only) divided into 10,000 (Ten Thousand) Equity shares of Rs. 10/- (Rupees Ten only) each.

3. The main objects for which the company was incorporated, as given in the Memorandum of Association are as under:

To carry on the business of Electronic and Computer Engineering of all kinds and descriptions and specially to Design, Develop, Manufacture, Purchase or otherwise acquire, Import, sell, Export, Lease or Franchise Technologies, Hardware, Software, and to carry on the business as Importers, Exporters, Trades, Agents, Representatives, Franchise Holders, Service Providers and



licensees, in Computer Hardware and Software, Electronic Systems and accessories, related Technologies and services and other related Equipment, Materials and Services and to setup and run Training Centres or Institutes in Computer and Electronic related software, Hardware and Technologies, either directly or through licensees or Franchisees, both in India and outside India etc.

4. The Registrar of Companies, Andhra Pradesh and Telangana i.e Respondent herein, has struck off the Appellant Company's name from the Register U/s 248 of the Companies Act, 2013 due to defaults in statutory compliances, namely, failure to file Financial Statements & Annual Returns for the Period 2013-2014, 2014-2015 & 2015-2016.
5. The Appellant Company states that during the F.Y. 2015-16 and 2016-17, the Company's business was not as desired and Company had to remove almost all of its employees so as to reduce the burden of Salaries. During these time of crisis and because of ignorance of the Law, the Director of the Company have inadvertently failed to file the Annual Returns and Annual Accounts of the Company with the ROC. Company's business has once again picked up and the Company has got work from U.S clients. As the Company name has been struck off this is causing hardship to the Company both in terms of managing the affairs and performing the work.
6. The Appellant states that the Appellant Company has been active since incorporation and has also been maintaining all the requisite documentation, as per the Provisions of the Companies Act 1956/ 2013.
7. The Appellant Company has been filing the balance sheets with Income Tax department every year including the Financial Year 2016 & 2017.





8. The Company being small Company has no full time Company Secretary nor Chartered Accountant to comply with all regular compliances, due to lack of guidance the Company could not file the Balance Sheets and Annual Returns for the Financial Year 2013-2014 & 2014-2015. It is further submitted that it was only when the Notice of FORM No. STK-1 dated 30.03.2017 was received the Appellant Company realized that its name had been struck off in the Register maintained by the Respondent.
9. Appellant further submit that in the event of revival of the Company and Restoration of the name Company in the Register maintained by the Respondent, the Appellant Company shall file all outstanding statutory documents i.e. Financial Statements & Annual Returns for the period 2014 & 2015 along with the filing fees and the additional fees.
10. ROC vide its letter No: ROCH/LEGAL/SEC252/083136/VTPL-/STACK/2017 dated 24.11.2017 has filed its Report reiterating the averments made in the Application and submitted that Hon'ble Bench may direct the Petitioner to file all the pending returns, namely Annual Returns/ Balance Sheet with fees/ additional fees as prescribed under the provisions of the Companies Act, 2013.
11. During the hearing held on 27.11.2017, the Ld. Counsel for the Appellant has requested for withdrawal of present Company Application and filed a memo stating:

With reference to CA No. 214/252/HDB/2017 which was heard on even date i.e., 27/11/2017, we hereby withdraw the said Application and praying for necessary directions to file a fresh Application with necessary changes.
12. In the facts and circumstances of the case and the aforesaid memo filed by the Appellant Company, the Appellant Company is permitted to withdraw the Company Application bearing CA No.





214/252/HDB/2017, with a liberty to the Appellant to file a fresh Company Application in accordance with law after complying with all the provisions of law.

13. No order as to costs.

*Sd/-*  
**RAVIKUMAR DURASAMY**  
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:12:214/252/HDB/2017*  
निर्णय का तारीख  
DATE OF JUDGEMENT...*27.11.2017*  
प्रति तैयार किया गया तारीख  
COPY MADE READY ON...*20.12.2017*