

NATIONAL COMPANY LAW TRIBUNAL, COURT-V, NEW DELHI

Appeal No. 339/252/ND/2020

Item 211 of 05.11.20

IN THE MATTER OF:

Mr. Anupam Parashar,
A-1059, Galleria DLF-IV, Gurgaon, Haryana-122009Appellant No. 1

Ms. Charu Parashar,
A-1059, Galleria DLF-IV, Gurgaon, Haryana-122009Appellant No. 2
[Directors of **Charu Parashar Designs Pvt. Ltd.**,
B-343, FF, Chitranjan Park, N Delhi-110019]

Vs.

Registrar of Companies,
4th Floor, IFCI Tower 61, Nehru Place, Delhi-110019Respondent No. 1

Union of India,
Principal CC of Income Tax, I.P. Estate, N Delhi-110001Respondent No. 2

Order Delivered on: 24.11.2020

CORAM:

ABNI RANJAN KUMAR SINHA, MEMBER (J)
K.K. VOHRA, MEMBER (T)

PRESENT:

For Appellants : Ms. Teena Rani
For Roc :
For Income Tax (IT) :

ORDER

Per K.K. Vohra Member (T)

1. This Appeal has been filed by Directors of the Company named 'Charu Parashar Designs Pvt Ltd' (the Company) invoking the provisions of Section 252 (3) of the Companies Act, 2013 (the Act) for restoration of the name of the Company in the Register maintained by the Registrar of Companies (RoC).
2. The Major facts are given below:

Date of Incorporation	26.08.2011
CIN No.	U181 04DL 2011 PTC2 24189
Date of Striking off	29.10.2019
Business	To carry on business of manufacturing, designing and dealing in all kinds of clothes,

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	garments including gifts, leather purse and other ladies items.
IT Returns	Submitted for the AY 2019-20 showing net tax payable of Rs 13,518.
Audited Financials	Revenue from Operations was Rs 25,75,063 (Pg 169 of paper book) during FY 2019-20, Rs 49,10,067 during 2018-19 and Rs 47,43,143 during 2017-18.
Misc	HDFC Bank Statement from 01.04.2019 to 31.03.2020 showing credit balance of Rs 1,87,631 as on 06.03.2020.

3. RoC, in its reply dated 22.10.2020 has not raised any objection for restoration of the name of the Company (Co). During the previous hearing on 01.10.20, none was present on behalf of IT Dept. One week's time was granted to file the report on behalf of IT Dept and the matter was adjourned to 05.11.20. IT Dept did not file its report even after one month. Hearings in the case were concluded and order was reserved on 5.11.20. This Tribunal directs the appellants to make payment of any dues of IT Dept as per rules.
4. In view of the fact that the Co has prepared audited financial statements for the 3 years ending FY 2019-20, that the Co has filed IT Return for assessment year AY 2019-20, the appeal to restore the name of the Company to the Register of RoC is **allowed** u/s 252 subject to payment of costs of Rs 25,000 to the Prime Minister Relief Fund along with Rs 50,000 to the Ministry of Corporate Affairs. Accordingly, the order of RoC dated 29.10.19 to strike off the name of the Co from the Register is hereby set aside. The restoration of the name of the Company in the Register will be subject to the Company's filing all outstanding documents for the defaulting years as required by law and completion of all formalities, including payment of any late fee or other charges. The name of the Co shall then stand restored in the Register of RoC, as if its name had not been struck off.
5. The direction for freezing the Bank Account(s) of the Co, if on this ground, shall consequently be also set aside immediately to enable the Co to carry out its business operation. Compliance of this order for restoration shall be made by the RoC with all its consequential effects within one week of compliance by the Company.
6. Let the copy of the order be served to the parties.

Sd/- 20

K.K. VOHRA
Member (T)

Sd/- 2020

ABNI RANJAN KUMAR SINHA
Member (J)