

**NATIONAL COMPANY LAW TRIBUNAL, COURT-V, N DELHI**

Appeal 306/252/ND/2020

Item 223 of 11.12.20

IN THE MATTER OF:

Mr. Yogesh Kumar Sharma  
Mr. Pinky Devi  
[Directors of **SPYSR Services Pvt. Ltd.**  
B-309, St 4, Phase 10, Shiv Vihar, Kharawal Nagar, Delhi- 110094]

....Appellant No. 1  
....Appellant No. 2

Vs.

Registrar of Companies,  
IFCI Tower, 61, Nehru Place, N Delhi-110019

....Respondent

**AND**

Appeal 317/252/ND/2020

Item 224 of 11.12.20

IN THE MATTER OF:

Mr Rohitash Krishnam  
Ms Brajesh Kumar Singh  
[Directors of **Quantum Power Tech Pvt. Ltd.**,  
B-271, Greater Kailash, South Delhi, N Delhi-110048]

.....Appellant No. 1  
.....Appellant No. 2

Vs.

Registrar of Companies,  
New Delhi-110019

.....Respondent

Order Delivered on: 24.12.2020

CORAM:

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

PRESENT (Appeal 306) :

For the Applicants : CA Parammoor Singh and CS Shivam Garg  
For RoC : M Yadhubhushana Rao, ARoC  
For Income Tax (IT) : Advs Easha Kadian and Ankit Singh

PRESENT (Appeal 317) :

For Appellants : Adv Kiran Rana  
For Roc : M Yadhubhushana Rao, ARoC  
For Income Tax : Advs Deepak Anand and Vipul Agrawal

**ORDER**

**Per K. K. Vohra, Member (T)**

1. The appeals have been filed by the Directors of the Companies (whose names were struck off) invoking the provisions of Section 252 (3) of the Companies Act, 2013 for restoration of the names of the Companies in the Register maintained by the Registrar of Companies (RoC). By this common order, both the appeals will be disposed of.

Appeal 306:

2. The major facts are given below:

CIN No.	U723 00DL 2014 PTC2 74309
Date of Striking off	29.10.2019
Audited Financial Statements	Revenue from operations was Rs 22,21,086 during FY 2018-19 (Pg 100 of petition), Rs 3,99,462 during 2017-18 and Rs 1,97,310 during 2016-17.

3. RoC has not raised any objection in its reply dated 08.10.20. Adv Easha Kadian sought three week time on 13.10.20 to file IT report as a last opportunity. No report was filed till 10.12.20. The case was heard on 11.12.20 and the order was reserved. In view of the fact that the Company has prepared audited financial statements for 3 years showing that it is a going concern, 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.

Appeal 317:

4. The major facts are given below:

CIN No.	U741 20DL 2008 PTC1 76062
Date of Striking off	29.10.2019
Audited Financial Statements	Revenue from operations was Rs 7,12,800 during FY 2017-18 (Pg 99) and Rs 1,04,87,336 during 2016-17.

5. RoC has not raised any objection in its reply dated 04.12.20. Adv Vipul Agarwal sought time on 23.10.20 to file IT report. No report was filed till 10.12.20. The case was heard on 11.12.2020 and the order was reserved. In view of the fact that the Company has prepared audited financial statements for 2 years latest being 2017-18 showing that it has been a going concern, 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.

Applicable for both appeals:

6. The orders of RoC to strike off the names of the Companies from the Register are hereby set aside. The restoration of the name of the Companies in the Register will be subject to



the Companies 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 names of the Companies shall then stand restored in the Register of RoC, as their names had not been struck off.

7. The direction for freezing the Bank Account(s) of the Companies, if on this ground, shall consequently be also set aside immediately to enable the Companies to carry out their business operations. Compliance of this order for restoration shall be made by the RoC with all its consequential effects within one week of compliance by the Companies.
8. Let the copy of the order be served to the parties.

Sd/-

**K.K. VOHRA**  
Member (T)

Sd/- 25

**ABNI RANJAN KUMAR SINHA**  
Member (J)