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**THE NATIONAL COMPANY LAW TRIBUNAL, COURT-V, NEW DELHI**  
**Appeal No. 352/252/ND/2020**

Item 207 of 29.10.20

**IN THE MATTER OF:**

Gulam Sarwar,  
A-14, GF, Madanpur Khadar Part-3, Delhi-110076 ...Appellant No. 1

Athar Tauheed,  
2/BF/F, Gali No. 22, Zakir Nagar, Delhi-110025 ...Appellant No. 2

Syed Tajuddin Ashraf,  
R-222/4, R Block, Jamia Nagar, N Delhi-110025 ...Appellant No. 3

[Directors of **Keen Associates Pvt. Ltd,**  
2B, FF, Gali 22, Zakir Nagar, N Delhi-110025]

Vs.

Registrar of Companies,  
4<sup>th</sup> Floor, IFCI Tower 61, Nehru Place, N Delhi-110019 ...Respondent

Order Delivered on: 05.10.2020

**CORAM:**

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

**PRESENT:**

For Appellants : CS Sumit Grover and Adv Deepika Jain  
For Roc : Ms. Mitika, Ld. ARoC  
For Income Tax (IT) : Adv Luqman S Hasan

**ORDER**

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

1. This Appeal has been filed by Directors of the Company named 'Keen Associates 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	16.01.2012
CIN No.	U749 00DL 2012 PTC2 30057
Date of Striking off	29.10.2019
Business	Interior and exterior designers, decorators, consultants, painting & application contractors and structural designing of residential & commercial place, all types of engineering consultancy.
IT Returns	Submitted for the AY 2019-20 showing net tax payable of Rs 1,74,200, for the AY 2018-19 net tax payable of Rs 69,623 & for the AY 2017-18 showing net tax payable of Rs 10,784.
Audited Financials	Revenue from Operations was Rs 98,31,761 (Pg 118 of paper book) during FY 2018-19, Rs 74,11,820 during 2017-18 and Rs 78,76,554 during 2016-17.
Misc	Bank Statement of SBI from 01.08.19 to 31.07.20 showing credit balance of Rs 5,44,065 as on 30.07.20.

3. RoC, in its reply dated 22.10.20, has not raised any objection for restoration of the name of the Company (Co). Mr. Luqman S Hasan appeared on behalf of IT Dept and submitted that he has not filed the report because he has not received instructions from the department concerned. During the previous hearing on 01.10.2020, Adv Ms. Adeeba Mojahid appeared for IT Dept. IT Dept was directed to file the report within one week i.e. by 08.10.2020. IT Dept did not file its reply even after 28 days. Considering these facts, we do not think it proper to give more opportunity to IT Dept to file the report. However, 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 2018-19, that the Co has filed its bank statement of SBI during the period from 01.08.19 to 31.07.20, 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 29.10.2019 to strike off the name of the Company from the Register is hereby set aside. The restoration of the name of the Co 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 Co.
6. Let the copy of the order be served to the parties.

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

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