

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-III

Item No.-103
401/252/ND/2020

IN THE MATTER OF:

M/s. VGSS Security Pvt Ltd

Vs.

Registrar of Companies Delhi & Haryana

....APPELLANT

...RESPONDENT

SECTION

U/s 252

Order delivered on 18.12.2020

CORAM:

CH. MOHD. SHARIEF TARIQ

MEMBER (JUDICIAL)

NARENDER KUMAR BHOLA

MEMBER (TECHNICAL)

PRESENT:

For the Appellant

For the OL

For the RD

For the Intervener

:

:

: *Ms. Sweety Kumar, AROC*

: Mr. Abhishek Maratha and Mr. Pratyaksh Gupta, St. Counsels
Income tax Department.

ORDER

Counsel for the Appellant is present. Counsel for the Income tax Department is present. The AROC is present.

It is submitted by the Counsel for the Appellant that Company viz., VGSS Security Pvt Ltd, was incorporated on 23.11.2000 and for one year, i.e., for the year ending March, 2000, the Annual Returns and the Balance Sheets were filed and thereafter, for non-filing of the Annual Returns and the Balance Sheets, the name of the Company was struck off from the register on 08.10.2018. It is submitted by the Counsel for the Applicant that for the Assessment Year 2014-2015 and for the AY 2019-2020, the ITRs were filed and small portion of tax has been paid. The Counsel for the Applicant has shared the GST Returns for the month of February, 2018-2019 and for the month of April, 2019-2020, which show that there are some commercial activities being carried out by the Company. It is further submitted that the

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Company is dealing with the deployment of Security Guards and is a small Company and during COVID period, there was no business activity. It is also submitted that chance may be given for doing the business by ordering revival.

In the facts and circumstances noted hereinabove, we are inclined to allow the Application, as the Company has some prospects for doing the business. Therefore, we are inclined to allow the Application and the same is allowed with the direction to the ROC to restore the name of the Company to the Register of the Companies subject to filing of all the pending Annual Returns and the Balance Sheets within six weeks from the date of passing of this order.

A fine of Rs.10,000/- is imposed on the Company which shall be reimbursed to the ROC for incurring the cost of restoration of the name of the Company in the Register of Companies.

The Applicant Company is directed to file an affidavit with the ROC declaring that during demonetization, the accounts of the Company have not been used to deposit the tainted money.

A copy of this order shall be obtained by the Counsel for the Applicant for sending to the ROC with pending compliances for information and necessary action.

In terms of the above, the Application is allowed.

- Sol -

(NARENDER KUMAR BHOLA)
MEMBER (TECHNICAL)

- Sol -

(CH. MOHD. SHARIEF TARIQ)
MEMBER (JUDICIAL)

Surjit (Court-III)

18.12.2020

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