

NATIONAL COMPANY LAW TRIBUNAL, COURT-V, N DELHI

Appeal 384/252/ND/2020

Item 215 of 10.12.20

IN THE MATTER OF:

Ms Riju Raj Singh Jamwal,
Ms Ritu Rawat,
Dilpreet Sokhi Singh,

....Appellant No. 1
....Appellant No. 2
....Appellant No. 3

[Director of **Dalpatpur R E Infrastructure Pvt. Ltd.**,
A-29/1, SFS Flats, Saket, N Delhi-110017]

Vs.

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

....Respondent

Order Delivered on: 24.12.2020

CORAM:

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

PRESENT:

For the Applicant : Adv Madhusumita Bora
For RoC : ARoC M Yadhubhushana Rao
For Income Tax (IT) : Adv Samarth Chaudhary

ORDER

Per K.K. Vohra, Member (T)

1. This Appeal has been filed by Directors of the Company named 'Dalpatpur R E Infrastructure Pvt. Ltd.' (the Company) invoking the provisions of Section 252 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 of the Company are:

CIN No.	U454 00DL 2007 PTC1 61640
Date of Striking off	21.08.2017
Business	Dealing in all types of plant, equipment, tool etc.
Financial Statements	Revenue from operations was Rs 65 during FY 2017-18 (Pg 143 of petition), and Rs 18,421 during FY 2016-17.

3. RoC has not raised any objection in its reply dated 21.12.2020. Ld. Counsel for the IT Dept submitted that the department has no objection. The appellant is advised to clear all dues of IT Dept.

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4. In view of the fact that the Company has prepared audited financial statements for 2 years latest being FY 2017-18 showing revenue from operations indicating 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. Accordingly, the order of RoC dated 21.08.2017 to strike off the name of the Company 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 which are leviable by the RoC. The name of the Company shall then stand restored in the Register of RoC, as if the name had not been struck off.
5. The direction for freezing the Bank Account(s) of the Company, if on this ground, shall consequently be also set aside immediately to enable the Company to carry out its business operation. Compliance of this order for restoration shall be made by the RoC with all consequential effects within one week of compliance by the Company.
6. Let the copy of the order be served to the parties.

Sd/-
K.K. VOHRA
Member (T)

Sd/-
ABNI RANJAN KUMAR SINHA
Member (J)