

NATIONAL COMPANY LAW TRIBUNAL
CUTTACK BENCH
COURT No. 1

ITEM No. 106
CP No. 9/CB/2024

Proceedings under Section 252(3) Companies Act

IN THE MATTER OF:

Sisir Chemicals Pvt. Ltd.
V/S
ROC, Cuttack

.....Applicant

.....Respondent

Order delivered on 05/06/2024

Coram:

H.V. Subba Rao, Hon'ble Member(J)
Kaushalendra Kumar Singh, Hon'ble Member(T)

PRESENT:

For the Applicants : Mr. Arabinda Acharya, CS.

For the Respondent : Mr. Ujwal Kumar, Company Prosecutor. (For RoC)

ORDER

This is a company petition filed by the company under Section 252(3) of the Companies Act, 2013 for the restoration in the register of ROC.

We heard the learned authorised representative, CS, Mr. Arabinda Acharya, appearing for the petitioner/applicant company.

He submits that the company was incorporated sometime in the year of 2001 with intent to establish a soap factory. He also submits that so far, the company has a land approximately about 5,000 Sq. feet but the soap factory as intended could not be established so far.

He also submits that as such no business has been carried out by the company.

We also heard Mr. Ujwal Kumar appearing for the RoC. He submits that this company was struck of once prior to 2016 also and then the same was revived by the order of Hon'ble Orissa High Court in the year of 2016. He submits that company again had not complied and filed the financial statements as required and, therefore, again the same has been struck of in the year of 2017.

From the perusal of the balance sheet also, we find that there has hardly been any business activity. The only asset in terms of fixed asset is shown at Rs. 23.87 Lakh. He also submits that in their bank account also an amount of Rs. 35,27,700, is still lying and submits that the

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company intends to resume its work now. He also submits that prior to year 2016-17, the Income Tax returns were filed however thereafter they have not filed the Income Tax returns and he undertakes that all compliances will be made and returns will be filed now. The learned counsel undertakes to pay the cost up to Rs. 1,00,000/-.

The Order reserved.



Kaushalendra Kumar Singh
Member (Technical)



H.V. Subba Rao
Member (Judicial)