

NATIONAL COMPANY LAW TRIBUNAL, MUMBAI BENCH

COURT III

119. C.P. 66/2022

CORAM: MS. LAKSHMI GURUNG, MEMBER (J)
SH. CHARANJEET SINGH GULATI, MEMBER (T)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL
COMPANY LAW TRIBUNAL ON **02.04.2024**

NAME OF THE PARTIES: Heritage Asian Spa Private Limited

V/s.

Registrar of Companies Mumbai

Appearance:

For the petitioner: Adv. Avinash R. Khanolkar

SECTION 441 OF COMPANIES ACT, 2013

ORDER

HEARING THROUGH: VC AND PHYSICAL (HYBRID) MODE

1. Pursuant to order dated 27.02.2024, the appellant has placed before us a table explaining the penal provisions under Section 99 of the Companies Act and the calculation of penalties as provided under Companies Act, 2013. It is noted from the table that the maximum penalties for the Company imposed for the financial year 2019-20 comes out Rs. 79,20,000/- and for the Financial Year 2020-21 comes out to Rs. 33,50,000/-.
2. In view of the matter, the Tribunal has jurisdiction to decide for the offence committed under Section 99 of the Companies Act. As far as other offences are concerned i.e. under Sections 147, 134(8), 137 and 92 of the Companies Act, 2013 attract a penalty which is less than Rs. 25,00,000/- therefore, these offences can be dealt and compounded by ROC/RD and are accordingly dropped from the present compounding application.

3. ROC, Mumbai is logged in however he is not answering to the call of this tribunal. One last and final opportunity is given to ROC, Mumbai to file its report failing which we proceed in the matter. List on **04.06.2024**.

Sd/-
CHARANJEET SINGH GULATI
Member (Technical)
/RKS/

Sd/-
LAKSHMI GURUNG
Member (Judicial)