

NATIONAL COMPANY LAW TRIBUNAL, MUMBAI BENCH
COURT III

113. Company Appeal/131/2023

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 **19.03.2024**

NAME OF THE PARTIES: Amba Landmarks Private Limited

V/s.

Registrar of Companies Pune

SECTION 252 (1) OF COMPANIES ACT, 2013

ORDER

Hearing Through: Virtually and Physical (Hybrid) Mode

CS Purva Chopada for applicant and ROC Pune appeared through VC.

This Company Appeal has been filed by Amba Landmarks Private Limited under Section 252 (1) of the Companies Act, 2013 for restoration. RoC Pune appears through VC and brought to the attention of this tribunal report dated 03.11.2023, relevant extract of which is reproduced as below:

“ 8.5. *Further there is a complaint filed by Vishvakarma Vidikamagar Co-op Hsg. Society Ltd, Pune through its Charman, Mr. Vijay Laxman Kadgi, against the company that the builder company is collecting money even though their name has been struck off form the list of registered company. Due to this fraudulent transaction done by the builder FIR CR No. 156/2022 registered with Chandan Nagar Police Station for offences punishable under Section 409, 419, 420, 464, 467, 471 of the Indian Penal Code against builder and builder has filed anticipatory bail Application No. 3142/2022 and the same has*

been rejected by Hon'ble Additional Sessions Judge, Pune dated 03.06.2022. This matter is taken up with the complainant and Chandan Nagar Police Station and reply is awaited. As per MCA Record the company filed its financials till 31.03.2017. As per the financial statements for the FY ending 31.03.2013 to 31.03.2017 it is seen that the Company has no revenues and is incurring losses in these FYs. Further it is seen from the Balance Sheet for the FY ending 31.03.2017 that the Company has taken advance (deposit) from Atharv Consortium & Realty Pvt. Ltd. & Shiv Construction (Ankush Mehta) amount to Rs. 4,00,000 & 82,28,101 respectively. Further the Company has trade payables amount to Rs. 10,56,699. In view of the above the Company has huge liabilities to pay off.”

ROC Pune states that this is a shell company and requests for the rejection of the Company Appeal.

The Appellant to file response to the ROC report by way of an additional affidavit. List on **30.04.2024**.

Sd/-

CHARANJEET SINGH GULATI
Member (Technical)

//NSW//

Sd/-

LAKSHMI GURUNG
Member (Judicial)