

**NATIONAL COMPANY LAW APPELLATE
TRIBUNAL, NEW DELHI**

Company Appeal (AT) No. 117 of 2017

IN THE MATTER OF:

**M/s. Shree Shrine Engineering &
Marketing
Company Pvt. Ltd.
Appellant**

Vs.

**The Registrar of Companies, Gujarat,
Ahmedabad**

Respondents

**Present: For the Appellant :- Mr
Amitabh, PCS**

ORDER

18.04.2017 — In a petition under Section 621-A of the Companies Act, 1956, the Appellant brought to the notice of the National Company Law Tribunal, Ahmedabad Bench, Ahmedabad (hereinafter referred to as Tribunal) that the appellant company could not finalise its balance sheet for the financial year 2013-14 in time as it failed to get it approved from shareholders in their annual general meeting for the year 2013-14. On the basis of the original petition, the case was registered as T.P. No. 178/621A/NCLT/Ahm/2016 (new).

According to the Appellant, in the original petition for the same very offence (s), the provisions of Section 210 of the Companies Act, 1956 was cited. The Registrar of Companies, Gujarat, Ahmedabad by his letter intimated that it should be under Section 96 of the Companies Act, 2013. Accordingly, an

amended petition was filed by the Appellant for the same very offence (s) for compounding of offences under Section 441 of the Companies Act, 2013. The grievance of the Appellant is that in the original petition, the Tribunal passed order dated 9th February 2017 compounding the offences for the said period and for same violation by imposing compounding fine and fee of Rs.3,96,000/ in T.P. No. 178/621A/NCLT/AHM/2016 (new case). Therefore, the appellant wanted to withdraw the earlier petition and filed an amended petition for compounding of offence, but has been dealt separately and decided on the same day i.e., 9th February 2017.

Let notice be issued on the Respondent by speed post. Requisites along with process fee, if not filed, be filed by tomorrow. If the Appellant provides e-mail address of Respondents let notice be also issued through e-mail.

Post the matter on 3rd May 2017 along with records of C.A (AT) No. 116 of 2017.

(Justice S.J. Mukhopadhaya)
Chairperson

(Mr. Balvinder Singh)
Member (Technical)