

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) No. 171 of 2018

IN THE MATTER OF:

Basant Kumar Berlia & Anr.

...Appellants

Versus

**Registrar of Companies,
West Bengal & Anr.**

...Respondents

Present:

**For Appellant : Ms. Neha Sharma, Advocate and
 Ms. Neha Somani, PCS**

O R D E R

28.05.2018 The name of the company, was strike down with effect from 9th June, 2017 on the ground that it failed to make any response to the notices issued/published on 7th April, 2017 and 9th June, 2017 by the Registrar of Companies. The appellants have taken a plea that earlier all the time the Company filed the balance sheets and annual returns on time after the approval of the shareholders but the same could not be filed during a particular year, there being dispute between the Directors. According to the appellants that as particular penal order could have been passed under the Companies Act imposing fine but without striking the name of the company but it was not followed. It is submitted that the aforesaid fact has been overlooked by the Tribunal while the impugned order dated 6th April, 2018 has been passed dismissing the appeal.

Let notice be issued on the respondents by Speed Post. Requisite alongwith process fee, if not filed, be filed by 29th May, 2018. If the appellant provides *e-mail* address of the respondents, let notice be also issued through *e-mail*.

Post the case for 'admission (after Notice)' on 9th July, 2018 before this Bench. The appeal may be disposed of at the stage of admission.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

/ns/gc