

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) No. 255 of 2017

IN THE MATTER OF:

Akash Ganga Builders Private Limited

...Appellant

Vs

Registrar Of Companies

....Respondent

Present:

For Appellant:

**For Respondent: Ms. Aparna Mudiam, Advocate, Mr. Rakesh Tiwari,
 ROC**

O R D E R

03.11.2017: Heard learned counsel for both sides, perused the order which had been passed by the Hon'ble the High Court in Company Petition 16/2013 on 12. 07.2013. Para 4 of the order reads as under:

Having considered the above submissions, it is directed that subject to the Petitioner paying Rs. 20,000/- as costs to the Central Government within six weeks, the name of the Petitioner company shall stand restored and its status would be changed from 'inactive' to 'active'. Within eight weeks thereafter , the Petitioner will file all its statutory documents, including the annual returns and balance sheets from 2000 to 2012 and other statutory forms by filing the additional fee, as applicable , on the actual date of filing in terms of the Act and the Rules thereunder.

There is no dispute that the respondents restored the name of the appellants as can be seen from Annexure E of the Appeal, in 2014. It appears that subsequently the respondent had issued impugned notice dated 11.02.2015 vide Annexure F to the appeal pointing out non-compliances. The learned counsel for the appellant is claiming that the appellant did comply the directions which were given by the Hon'ble High Court. Respondent disputes it. Let the appellant as well as the respondent file affidavits, with copies of acknowledgements of receipts of returns, etc. Appellant needs to show the dates of compliance as the Hon'ble High Court in Para 4 reproduced above had specified time of six weeks to pay costs and 8 weeks after restoration of the company to active mode, for other compliances. The affidavits be filed within 2 weeks from today.

List the matter on **21st November, 2017.**

(Justice A.I.S. Cheema)
Member (Judicial)

(Balvinder Singh)
Member (Technical)

sh/nn