

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) No.30 of 2019

IN THE MATTER OF:

Chetan Ramniklal Vasa

...Appellant

Vs

Registrar of Companies

...Respondents

Present: Mr. R.K. Ruhil and Mr. Vinod Sharma, Advocates.

ORDER

13.03.2019- On hearing the learned counsel for appellant and being satisfied with the grounds, we condone the delay in preferring the appeal.

2. The name of the appellant company was struck off from the Registrar of Companies which has been restored in terms of the impugned order dated 6th June, 2018, certified copy whereof was made available to the appellant on 29th November, 2018. Appellant is aggrieved of the aforesaid order in so far as the same saddles him with the liability of costs quantified at Rs.5 lakhs.

3. In spite of service to respondents, ROC have not appeared.

4. Learned counsel appearing on behalf of the appellant submits that the appellant has been ordered to file all the required documents and shall fulfil other relevant statutory compliance by paying penal interest. Learned counsel for the appellants further submits that the company will pay penal amount in terms of the Companies Act which comes to Rs.6 lakhs approximately. He submitted that apart from such penal amount additional cost of Rs.5 lakhs is excessive.

5. Having heard the learned counsel for the appellant while we are not inclined to interfere with the substantive part of the impugned order dated 6th June, 2018, but as we find that the company and its official are liable to

pay penal amount in terms of the Companies Act for contravention of the provisions of Act, reduce the cost to Rs.1 lakh to be paid by the appellant/company. The order dated 6th June, 2018 passed by the Tribunal stands modified to the extent above. Appeal stands disposed of. No costs.

(Justice S.J. Mukhopadhaya)
Chairperson

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

Bm/sk