

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

**Company Appeal (AT) No. 319 of 2018**

**IN THE MATTER OF:**

**M/s. A. Venture Realtors Pvt. Ltd.**

**...Appellant**

**Versus**

**Registrar of Companies, Pune**

**...Respondent**

**Present:**

**For Appellant :**           **Mr. Mustafa Ahmad Khan and Mr. Dhaval  
Deshpande, Advocates**

**For 1<sup>st</sup> Respondent:**   **Mr. P.S. Khade, Assistant Registrar,**

**O R D E R**

**08.10.2018**       This appeal has been preferred by the appellant against the order dated 30<sup>th</sup> July, 2018 so far it relates to imposition of cost of Rs. 7,50,000/- imposed on the appellant for restoring its name.

Learned counsel appearing on behalf of the appellant submits that the National Company Law Tribunal Mumbai Bench by allowing the application under Section 252 of the Companies Act restored the name of the Company "A Venture Realtors Pvt. Ltd." in the Register of the Registrar of Companies, Pune but without any reason imposed cost of Rs. 7,50,000/-.

On Notice, Mr. P.S. Khade, Assistant Registrar appears and submits that because of default a cost of Rs. 7,50,00/- has been imposed by the Tribunal.

Learned counsel for the appellant submits that they have already deposited Rs.2,84,000/- with the Registrar of Companies towards penal amount of fine as per the provision of the Companies Act, 2013. Therefore, for default no additional cost can be imposed.

Taking into consideration the facts and circumstances of the case we find that the appellant having already paid the penal amount of Rs. 2,84,000/- under the provisions of the Companies Act, there was no occasion to impose any further cost for same default, we accordingly set aside the order dated 30<sup>th</sup> July, 2018 so far it relates to imposition of cost of Rs. 7,50,000/- as also the observations and directions made against the company. The appeal is allowed in part. The impugned order stands modified to the extent above. No cost

[Justice S.J. Mukhopadhaya]  
Chairperson

[ Justice Bansi Lal Bhat ]  
Member (Judicial)

/ns/gc/