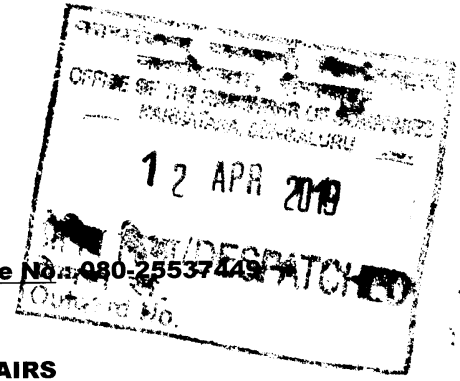




Email: roc.bangalore@mca.gov.in

Telephone No. 080-25537449



GOVERNMENT OF INDIA  
MINISTRY OF CORPORATE AFFAIRS  
OFFICE OF THE REGISTRAR OF COMPANIES, KARNATAKA  
II FLOOR, "E" WING, KENDRIYA SADAN, KORAMANGALA, BANGALORE - 560 034

No. ROCB/Sec 454(3)/FAIRGROWTH EXIM LIMITED/12326 (3 to 6) Dated: 12-04-2019

**ORDER OF ADJUDICATION OF PENALTY UNDER SECTION 454 (3) OF COMPANIES ACT 2013 READ WITH RULE 3 OF THE COMPANIES (ADJUDICATION OF PENALITES) RULES 2014 FOR VIOLATION OF PROVISIONS OF SECTION 12(2) OF THE COMPANIES ACT 2013 BY M/S. FAIRGROWTH EXIM LIMITED (THE COMPANY):**

In the matter of Ms. FAIRGROWTH EXIM LIMITED  
Incorporated on 19/09/1991 under the Registrar of Companies, Karnataka.

1. Whereas pursuant to provisions of sub section (1) of section 12 of the Companies Act, 2013, the company shall on and from the 30<sup>th</sup> day of its incorporation and at all times thereafter, have a registered office capable of receiving and acknowledging all communications and notices as may be addressed to it.
2. Whereas sub-section (4) of the said section states that notice of every change of the situation of the registered office, verified in the manner prescribed, after the date of incorporation of the company, shall be given to the Registrar within 30 days of the change and as per Rule 27 of the Companies (Incorporation) Rules 2014, the notice of change of the situation of the registered office and verification thereof shall be filed in form No.INC 22 along with the fee.

dc

3. This office had issued letter to the company on 13-07-2018 through speed post, to address a complaint received which was returned undelivered with the remark “No such firm”. Again notice for violation of section 12 of the Companies Act 2013, was issued on 27-07-2018 through speed post to the company and its officers in default . This notice to the company was also returned undelivered with the remarks “addressee left” and on verification of the records of the company it is noticed that the company has filed INC-22 only on 29-09-2018 and not within the stipulated time as required under sub section(2) of Section 12 of the Companies Act for shifting the registered office to S-515, 5<sup>th</sup> floor, Manipal Centre , 47, Dickenson Road,Bangalore-560 042 from the present office and hence the undersigned has reasonable cause to believe that the aforesaid Sub Section (4) of Section 12 of the Companies Act, 2013 has been violated.
4. As per Sec 12(8) of the Companies Act 2013, if any default is made in complying with the provisions of Sec 12, the Company and every officer who is in default shall be liable to a penalty of one thousand rupees for every day during which default continues but not exceeding one lakh rupees.
5. This office had issued adjudication notice U/s 454 of the Companies Act 2013 r/w Rule 3 (3) of the Companies (Adjudication of Penalties) Rules 2014 to the Company and its officers in default viz. Shri. (1) Thukaram Giliyar Pai (2) Shri Shamprasad Raghavendra Rao Godabanahal and (3)Shri Aknur Raghothamarao Gopal on 05/11/2018 calling upon to appear personally or through their authorized representative before the undersigned on 16/11/2018 at 3 P.M. in the chamber of Registrar of companies, II Floor, E Wing,

Kendriya Sadan, Koramangala, and Bangalore-560034 for hearing. The authorized representative of the company and officers in default Shri L.V.Veeranjanelu attended for hearing.

6. Therefore in view of the above said violation of Sec 12 (1) & (4) of the Companies Act 2013 r/w Rule 25 of Companies (Incorporation) Rules 2014, the Company and its officers are liable for a penalty of Rs70,000/- each as per Sec 12(8) of the Companies Act 2013. Accordingly, the undersigned in exercise of the powers vested to him vide Sec 454(1) & (3) of Companies Act 2013 considering the delay of 70 days, hereby impose a penalty of Rs.70000/- each - on the Company and its officers referred elsewhere in the above paras and hereby direct that they shall pay the penalty of Rs.70,000/- each immediately through MCA 21 portal and proof of payment be produced for verification within 30 days from the date of receipt of order.


7. Please note that as per Sec 454(8) (i) of the Companies Act 2013, Where company does not pay the penalty imposed by the adjudicating officer or the Regional Director within a period of ninety days from the date of receipt of the copy of the order, the company shall be punishable with fine which shall not be less than twenty-five thousand rupees but which may extend to five lakh rupees.

(ii) Where an officer of a company who is in default does not pay the penalty within a period of ninety days from the date of the receipt of the copy of the order, such officer shall be punishable with imprisonment which may extend to six months or with fine which shall not be less than twenty-five thousand rupees but which may extend to one lakh rupees, or with both.

Therefore, in case of default in payment of penalty, prosecution will be filed U/s 454(8(i) and (ii) of the Companies Act 2013 at your own costs without any further notice.



(C V SAJEEVAN)  
REGISTRAR OF COMPANIES  
KARNATAKA, BANGALORE



To:

1 .M/s. FAIRGROWTH EXIM LIMITED  
S-515, 5<sup>th</sup> floor, Manipal Center, 47, Dickenson Road,  
BANGALORE – 560042

No. ROCB/Sec 454(3)/FAIRGROWTH EXIM LIMITED/12326

2. Shri THUKARAM GILIYAR PAI  
GURUKRUPA NO. 71,5TH CROSS, CHOWDESWARI NAGARM  
DASARAHALL,IBANGALOE-560024

No. ROCB/Sec 454(3)/FAIRGROWTH EXIM LIMITED/12326

3. Shri SHAMRAO RAGHAVENDRA RAO GODABANAHAL  
SUSHANTHI NEAR AMBIKA PATTERNS, DODDABOMMASANDRA  
VIDYARANYAPURA PO, BANGALORE-560097

No. ROCB/Sec 454(3)/FAIRGROWTH EXIM LIMITED/12326

4. Shri AKNUR RAGHOTHAMARAO GOPAL  
193, SARASWATHI NAGAR(BAPUJI LAYOUT),  
VIJAYANAGAR, BANGALORE-560040