

In the matter of Companies Act, 2013

And

In the matter of adjudication proceeding under section 118 of the Companies Act, 2013.

And

In the matter of section 454 of the Companies Act, 2013

And

In the matter of M/s. 4 Dimension Logistics Private Limited.

11 JUL 2019 /
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1. M/s. 4 Dimension Logistics Private Limited
FP-8, CAMBAY PLAZA, C/O CAMBAY GRAND,
B/H. PERD CENTER, NR. SOLA OVERBRIDGE,
THALTEJ, AHMEDABAD- 380054.
2. Shri MANOJ KUMAR SINGHAL (Managing Director),
D-66, ARYA SAMAJ RD,
UTTAM NAGAR, NEW DELHI-110069.

.....Respondents

EX-PARTE ORDER

Date of hearing 29.05.2019

Present

- | | |
|---|----------------------|
| 1. Shri L. R. Meena, Registrar of Companies | Adjudicating Officer |
| 2. Shri Sudhir Phaye, Dy. Registrar of Companies. | Presenting Officer |
| 3. Shri Naresh Chandra | STA |
| 4. Respondents (1 & 2) | Absent. |

The above named company was incorporated on 17.02.2011 and as per record of this office presently the company is having its Registered office situated at FP-8, CAMBAY PLAZA, C/O CAMBAY GRAND, B/H. PERD CENTER, NR. SOLA OVERBRIDGE, THALTEJ, AHMEDABAD- 110 069.

whereas M/s. 4 Dimension Logistics Private Limited (herein after referred to as "company") is a company having its Registered office FP-8, CAMBAY PLAZA, C/O CAMBAY GRAND, B/H. PERD CENTER, NR. SOLA OVERBRIDGE, THALTEJ, AHMEDABAD- 110 069 registered under the provisions of the Companies Act, 1956 (hereinafter referred to as "Act") in the state of Gujarat.

And whereas As per Section 118 of the Companies Act, 2013, every company shall cause minutes of the proceedings of every general meeting of any class of shareholders or creditors, and every resolution passed by postal ballot and every meeting of its Board of Directors or of every committee of

D/L

the Board, to be prepared and signed in such manner as may be prescribed and kept within thirty days of the conclusion of every such meeting concerned, or passing of resolution by postal ballot in books kept for that purpose with their pages consecutively numbered.

And whereas during the course of inspection under section 206(5) of the Companies Act, 2013, the inspecting office has pointed out the violation of section 118 of the companies Act, 2013 as under:

"During the inspection of the company it is seen that the company has not maintained its registered office and also the company has not produced the copy of Minute Books of the proceedings of the Board Meetings, General Meetings etc. in compliance of this Directorate letter dated 27-03-2018 which clears that the company has not maintained any Minute book which is in violation of the provisions of section 118 of the Companies Act, 2013."


And whereas, in view of the above facts & observation, it appears that the company is not maintaining *Minute Books of the proceedings of the Board Meetings, General Meetings etc.* Hence the provision of section 118 of the Companies Act, 2013 has been contravened and the company and every officer of the company, who is in default shall be liable for action under section 118(11) of the Companies Act, 2013.

1. In view of the above facts, the undersigned has reasonable cause to believe that the provision of Section 118 of the Companies Act, 2013 not been complied with by the Company and its officers in default. Thus, the Company and its officers in default have rendered themselves liable to be panel action as provided in sub-section (11) of section 118 of the Companies Act, 2013. As per provision of section 118 (11), there is provision for penalty for which the ROC is empowered to adjudicate the penalty under section 454 (3) of the Companies Act, 2013.
2. The office of the Registrar of Companies, Gujarat, Dadra and Nagar Haveli issued show cause notice for violation of section 118 of the Companies Act, 2013 to the Company and its Respondents on 16.01.2019. But, no reply was received in response of the said notice.
3. This office issued adjudication notices for violation of section 118 of the Companies Act, 2013 to the Company and its Respondents on 07.02.2019 and 30.04.2019 by giving an opportunity of being heard in the matter of adjudication proceeding before the undersigned on 19.02.2019 and 15.05.2019 respectively.
4. The undersigned in exercise of power conferred under sub section 3 of section 454 of the Companies Act, 2013 fixed the date of hearing on 07.02.2019 and 30.04.2019 for adjudicating penalty for violation of provision of section 118 of the Companies Act, 2013.
5. That due to non appearances of the Respondents, the matter was heard ex-party on 29.05.2019 in this office and unanimously decided that company and respondent Managing Director have committed violation of section 118 of the Companies Act, 2013. It is hereby ordered that sum of Rs. 25,000/- to company and Rs. 5,000/- to Managing Director of the company has been imposed penalty and the mater stand disposed off.

The penalties imposed as under should be paid by the Respondents as per Law and submit the copies of Challan to this office. The company should file the INC 28 with attachment of this order and copy of aforesaid Challan.

Sr. No.	Name of the Respondents	Amount (In Rs.)
1.	M/s. 4 Dimension Logistics Private Limited	25,000/-
2.	Shri MANOJ KUMAR SINGHAL (Managing Director),	5,000/-
	Total Rs.	30,000/-

The adjudication notice stands disposed of with this order.


(L. R. Meena)
Adjudicating officer,
Registrar of Companies,
Gujarat, Dadra and Nagar Haveli.

Signed this 29 day of May, 2019.

Copy to:

1. M/s. 4 Dimension Logistics Private Limited
FP-8, CAMBAY PLAZA, C/O CAMBAY GRAND,
B/H. PERD CENTER, NR. SOLA OVERBRIDGE,
THALTEJ, AHMEDABAD- 380054.
2. Shri MANOJ KUMAR SINGHAL (Managing Director),
D-66, ARYA SAMAJ RD,
UTTAM NAGAR, NEW DELHI-110069.
3. Master File
4. Office Copy

o/c
Nareem
10/7/19

In the matter of Companies Act, 2013

And

In the matter of adjudication proceeding under section 12(1) and 12 (3)(a) of the
Companies Act, 2013.

And

In the matter of section 454 of the Companies Act, 2013

And

In the matter of M/s. 4 Dimension Logistics Private Limited.

1.1 JUL 2019/

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884 To 886

1. M/s. 4 Dimension Logistics Private Limited
FP-8, CAMBAY PLAZA, C/O CAMBAY GRAND,
B/H. PERD CENTER, NR. SOLA OVERBRIDGE,
THALTEJ, AHMEDABAD- 380054.
2. Shri MANOJ KUMAR SINGHAL (Managing Director),
D-66, ARYA SAMAJ RD,
UTTAM NAGAR, NEW DELHI-110069.

..... Respondents

EX-PARTE ORDER

Date of hearing 29.05.2019

Present

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| 1. Shri L. R. Meena, Registrar of Companies | Adjudicating Officer |
| 2. Shri Sudhir Phaye, Dy. Registrar of Companies, | Presenting Officer |
| 3. Shri Naresh Chandra | STA |
| 4. Respondents (1 & 2) | Absent. |

The above named company was incorporated on 17.02.2011 and as per record of this office presently the company is having its Registered office situated at FP-8, CAMBAY PLAZA, C/O CAMBAY GRAND, B/H. PERD CENTER, NR. SOLA OVERBRIDGE, THALTEJ, AHMEDABAD.

whereas M/s. 4 Dimension Logistics Private Limited (herein after referred to as "company") is a company having its Registered office FP-8, CAMBAY PLAZA, C/O CAMBAY GRAND, B/H. PERD CENTER, NR. SOLA OVERBRIDGE, THALTEJ, AHMEDABAD registered under the provisions of the Companies Act, 1956 (hereinafter referred to as "Act") in the state of Gujarat.

And whereas As per Section 12(1) of the Companies Act, 2013, a company shall, on and from the fifteenth day of its incorporation and at all times thereafter should have a registered office capable of receiving and acknowledging all communications and notices as may be addressed to it.

And whereas As per Section 12(3) (a) of the Companies Act, 2013, Every company shall—

(a) paint or affix its name, and the address of its registered office, and keep the same painted or affixed, on the outside of every office or place in which its business is carried on, in a conspicuous position, in legible letters, and if the characters employed therefor are not those of the language or of one of the languages in general use in that locality, also in the characters of that language or of one of those languages;

And whereas during the course of inspection under section 206(5) of the Companies Act, 2013, the inspecting office has pointed out the violation of section 12(1) and 12 (3)(a) of the companies Act, 2013 as under:

"During the course of visit at the address of the registered office of the company on 05.07.2018 at FP-8, Cambay Plaza, C/O Cambay Grand B/H PERD Center, Nr. Sola Overbridge, Thaltej, Ahmedabad, Gujarat 380054, it was found that the company has not maintained its registered office. That the name of the company was not found affixed or painted. The letters dated 27-03-2018 and 28-06-2018 sent to the company were returned undelivered from which it is established that the company is not maintaining its registered office at address provided on MCA portal. Hence violated the provision of Section 12 of the Companies Act, 2013."

And whereas, in view of the above facts & observation, it appears that the company is not maintaining its registered office of the company. Hence the provision of section 12(1) and 12 (3)(a) of the Companies Act, 2013 has been contravened and the company and every officer of the company, who is in default shall be liable for action under section 12(8) of the Companies Act, 2013.


1. In view of the above facts, the undersigned has reasonable cause to believe that the provision of Section 12(1) and 12 (3)(a) of the Companies Act, 2013 not been complied with by the Company and its officers in default. Thus, the Company and its officers in default have rendered themselves liable to be panel action as provided in sub-section (8) of section 12 of the Companies Act, 2013. As per provision of section 12 (8), there is provision for penalty for which the ROC is empowered to adjudicate the penalty under section 454 (3) of the Companies Act, 2013.
2. The office of the Registrar of Companies, Gujarat, Dadra and Nagar Haveli issued show cause notice for violation of section 12(1) and 12 (3)(a) of the Companies Act, 2013 to the Company and its Respondents on 16.01.2019. But, no reply was received in response of the said notice.
3. This office issued adjudication notices for violation of section 12(1) and 12(3)(a) of the Companies Act, 2013 to the Company and its Respondents on 07.02.2019 and 30.04.2019 by giving an opportunity of being heard in the matter of adjudication proceeding before the undersigned on 19.02.2019 and 15.05.2019 respectively.

4. The undersigned in exercise of power conferred under sub section 3 of section 454 of the Companies Act, 2013 fixed the date of hearing on 07.02.2019 and 30.04.2019 for adjudicating penalty for violation of provision of section 12(1) and 12(3)(a) of the Companies Act, 2013.
5. That due to non appearances of the Respondents, the matter was heard ex-party on 29.05.2019 in this office and unanimously decided that company and respondent Managing Director have committed violation of section 12(1) and 12 (3)(a) of the Companies Act, 2013. It is hereby ordered that sum of Rs. 1,00,000/- each to company and its Managing Director has been imposed penalty and the mater stand disposed off.

The penalties imposed as under should be paid by the Respondents as per Law and submit the copies of Challan to this office. The company should file the INC 28 with attachment of this order and copy of aforesaid Challan.

Sr. No.	Name of the Respondents	Amount (In Rs.)
1.	M/s. 4 Dimension Logistics Private Limited	1,00,000/-
2.	Shri MANOJ KUMAR SINGHAL (Managing Director),	1,00,000/-
	Total Rs.	2,00,000/-

The adjudication notice stands disposed of with this order.


(L. R. Meena)
Adjudicating officer,
Registrar of Companies,
Gujarat, Dadra and Nagar Haveli.

Signed this 29 day of May, 2019.

Copy to:

1. M/s. 4 Dimension Logistics Private Limited
FP-8, CAMBAY PLAZA, C/O CAMBAY GRAND,
B/H. PERD CENTER, NR. SOLA OVERBRIDGE,
THALTEJ, AHMEDABAD- 380054.
2. Shri MANOJ KUMAR SINGHAL (Managing Director),
D-66, ARYA SAMAJ RD,
UTTAM NAGAR, NEW DELHI-110069.
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10/17/19