

In the matter of Companies Act, 2013

And

**In the matter of adjudication proceeding under Sub-section (3)
of section 454 of the Companies Act, 2013.**

And

**In the matter of adjudication proceeding for violation of section
92(4) of the Companies Act, 2013.**

And

**IN THE MATTER OF M/S. RAJDHANI INVESTMENTS AND AGENCIES
PRIVATE LIMITED.**

12 JUL 2019/
8997904

1. **M/s. Rajdhani Investments And Agencies Private Limited**
2. ARUN KUMAR GUPTA CFO (KMP)
3. SAVITRI DEVI SINGH (W.T.D.)
4. ANUSHKA SINGH (W.T.D)Respondents

Date of hearing- 28.06.2019.

Presence

- | | |
|-------------------------|--|
| 1. Shri L. R. Meena, | Registrar of Companies
Adjudicating Officer |
| 2. Ms. Trupti Sharma | Asst. Registrar of Companies. |
| 3. Shri Naresh Chandra, | Senior Technical Assistant
Present staff |
| 4. Shri Kiran Shah | Chartered Accountant
(PCA) as authorised
representative of the
above respondents. |

JRC

ORDER

The above named company was incorporated on 27.11.1972 and as per record of this office presently the company is having its registered office situated at M C Shah House, 1/B, FF, Avantika Society, Nr. Naranpura Railway Crossing, Naranpura, Ahmedabad, Gujarat- 380 0013.

WHEREAS, M/s. Rajdhani Investments And Agencies Private Limited (herein after referred to as "company") is a company having the CIN No. U65993GJ1972PTC097502 registered under the provisions of the Companies Act, 1956 (hereinafter referred to as "Act") in the state of Delhi. Subsequently, vide an order of Regional Director, Delhi dated 15.02.2017, its registered office was shifted from Delhi to Gujarat.

WHEREAS, As per Section 92(4) of the Companies Act, 2013, every company shall file with the Registrar a copy of the annual return, within sixty days from the date on which the annual general meeting is held or where no annual general meeting is held in any year within sixty days from the date on which the annual general meeting should have been held together with the statement specifying the reasons for not holding the annual general meeting, with such fees or additional fees as may be prescribed.

WHEREAS, the Annual General Meeting (AGM) of the company for the financial year ended 31.03.2018 was held on 21.12.2018 in accordance with the provisions of section 96 of the Companies Act, 2013. The copy of the Annual Return made upto 21.12.2018 should be filed with the Registrar of Companies within sixty days from the date of which the annual general meeting is held i.e. on or before 19.02.2019 in accordance with the provisions of section 92(4) of the Companies Act, 2013.

WHEREAS, WHEREAS the said Annual Return made upto 21.12.2018 has been filed delayed by 59 Days in this office on 19.04.2019.

1. In view of the above facts, the undersigned has reasonable cause to believe that the provision of Section 92(4) 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 penal action as provided in sub-section (5) of section 92 of the Companies Act, 2013. As per provision of section 92(5), 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 company and its officer have filed suo-moto adjudication application dated 06.06.2019 for adjudication of the penalty for violation of section 92(4) of the Companies Act, 2013 in the office of the undersigned on 10.06.2019.
3. The office of the Registrar of Companies, Gujarat, Dadra and Nagar Haveli issued adjudication notices for adjudication of the penalty for violation of section 92(4) of the Companies Act, 2013 to the Company and its Respondents on 27.06.2019 by giving an opportunity of being heard on 28.06.2019 at 11.00 AM in the O/o Registrar of the Companies, ROC Bhawan, Opp. Rupal Park, Nr. Ankur Bus Stand, Naranpura, Ahmedabad-380013, Gujarat.
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 28.06.2019 for adjudicate the penalty for violation of provision of section 92 (4) of the Companies Act, 2013.
5. In response to the adjudication notice dated 27.06.2019 issued by the undersigned, the Company and its officer in default vide Authority Letter dated 27.06.2019 have authorized Shri Kiran Shah, Practicing Chartered Accountant to appear and represent before the adjudicating authority- Registrar of Companies, Gujarat on the above given date and time for oral and written submission and to all acts and things as may be necessary and incidentally in the matter.
6. During the hearing on 28.06.2019, Shri Kiran Shah, Practicing Chartered Accountant and Authorized representative of the Respondent reiterated submissions made in the adjudication notices. He tendered written submission dated 06.06.2019 stating that the company was facing lots of complexities, technical issues and was deficient of adequate manpower resources due to which annual filing could not be completed for filing before the office of the undersigned. He informed that violation on the part of the Respondents was absolutely unintentional and was committed inadvertently without any malafied intension.

7. That keeping in mind all the relevant facts and after consideration of the oral submissions made by Shri Kiran Shah, Practicing Chartered Accountant and Authorized Representative of the Respondents, it is observed that the company and Respondents have committed default under section 92(4) of the Companies Act, 2013 for non filing Annual Return for the financial year 2017-18 within time frame. As a matter of the fact that the respondents have filed suo-moto Application as above stated, it is hereby ordered that penalty of Rs. 50,000/- each on company and its 3 officers in default i.e. $Rs. 50,000/- \times 4 = 2,00,000/-$ Plus Rs. 100 per day on each for 59 days i.e. $Rs. 100/- \times 4 \times 59 = 23,600/-$. Total Rs. 2,23,600/- imposed as penalty and the matter stand disposed off.
8. 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. Rajdhani Investments And Agencies Private Limited	55,900/-
2.	SAVITRI DEVI SINGH (W.T.D.)	55,900/-
3.	ANUSHKA SINGH (W.T.D),	55,900/-
4.	ARUN KUMAR GUPTA CFO (KMP)	55,900/-
	Total	2,23,600/-

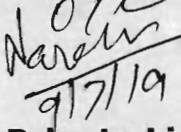
The adjudication notice stands disposed of with this order.


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

Signed this 28th day of June, 2019.

Copy to:

1. **M/s. Rajdhani Investments And Agencies Private Limited**
M C Shah House, 1/B, FF, Avantika Society,
Nr. Naranpura Railway Crossing,
Naranpura, Ahmedabad, Gujarat- 380 0013.
2. SAVITRI DEVI SINGH (W.T.D.)
16, Aurangzeb Road, New Delhi- 110011
3. ANUSHKA SINGH (W.T.D),
16, Aurangzeb Road, New Delhi- 110011.


 9/7/19

4. ARUN KUMAR GUPTA CFO (KMP)
B- 10/17, Krishna Nagar, Delhi-110051.

✓5. Master File

6. Office Copy.