

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
137 of the Companies Act, 2013.**

And

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

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

Respondents

Date of hearing- 28.06.2019.

Present

- | | |
|-------------------------|--|
| 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. |

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.

And whereas As per Section 137(1) of the Companies Act, 2013, a copy of the financial statements, including consolidated financial statement, if any, along with all the documents which are required to be or attached to such financial statements under this Act, duly adopted at the annual general meeting of the company, shall be filed with the Registrar within thirty days of the date of annual general meeting in such manner, with such fees or additional fees as may be prescribed.

WHEREAS, the directors/ officers of the above named company ought to have laid Financial Statements and Profit & Loss Accounts alongwith relevant documents for the financial year ended 31.03.2018 in the Annual General Meeting held on or before 21.12.2018 in accordance with section 96 of the Companies Act, 2013.

WHEREAS, the said Financial Statements and relevant documents for the Financial Year ended 31.03.2018 has been filed in this office on 19.04.2019 with a delay of 90 days

1. In view of the above facts, the undersigned has reasonable cause to believe that the provision of Section 137(1) 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 (3) of section 137(1) of the Companies Act, 2013. As per provision of section 137(3), there is provision for penalty for which the

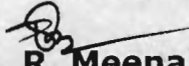
ROC is empowered to adjudicate the penalty under section 454 (3) of the Companies Act, 2013.

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 137(1) 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 137(1) of the Companies Act, 2013 to the Company and its Respondent (CFO) on 27.06.2019 by given 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 137 (1) 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 Respondent (CFO) have committed default under section 137(1) of the Companies Act, 2013 for non filing Financial Statement 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. 1,000/- X 90 days = Rs. 90,000/- on the respondent No. 1 company and Rs. 1,00,000/- + Rs. 9,000/- (i.e. Rs. 100/- X 90 days) = Rs. 1,09,000/- on the responded No. 2 CFO have been imposed as penalty and the matter stand disposed off.
8. The penalties imposed as under should be paid by the Respondents as per Law. 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	90,000/-
2.	Shri ARUN KUMAR GUPTA CFO (KMP)	1,09,000/-
	Total Rs.	1,99,000/-

The adjudication notice stands disposed of with this order.


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

Signed this 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. ARUN KUMAR GUPTA CFO (KMP)
B- 10/17, Krishna Nagar,
Delhi-,110051.
3. Master File
4. Office Copy.