

In the matter of Companies Act, 2013

And

**In the matter of adjudication proceeding under Sub-section (1) of section 12 of the
Companies Act, 2013.**

And

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

And

In the matter of M/s. M/s. Sanghvi Writing Points Private Limited /853

11 JUL 2019

1. M/s. Sanghvi Writing Points Pvt. Ltd.
Plot No. 11, GIDC, Dhitra, Indl. Estate,
Bhavnagar, Gujarat-364 004.
2. Shri Virendra Kumar Ramniklal Dave(Director),
139, L.I.G., Sashrinagar,
Bhavnagar-364 022.
3. Shri Jayant Dwarkada Sanghvi (Director),
Plot No. S-1, 13th Road, J.V.P.D. Sheme,
Vile Parle, Mumbai-400 040.

.....Respondents

EX-PARTE ORDER

DATE OF HEARING- 27.05.2019

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, Senior Technical Assistant | Present staff |
| 4. Respondents (1 to 3) | Absent |

EX-PARTE ORDER

The above named company was incorporated on 05.08.1980 and as per record of this office presently the company is having its Registered office situated at Plot No. 11, GIDC, Dhitra, Indl. Estate, Bhavnagar, Gujarat-364 004.

Whereas, M/s. Sanghvi Writing Points Private Limited (herein after referred to as "company") is a company having its registered office at 11, GIDC, Dhitra, Indl. Estate, Bhavnagar, Gujarat-364 004 registered under the provisions of the Companies Act, 2013 (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, Letter dated 03.10.2017 issued to the company on its aforesaid registered office address of the company were returned back from the postal authority with the remarks "Left".

And whereas, the Regional Director (NWR) vide Letter No. RD (NWR) Sec. 206/145/TS/2017/5776 dated 07.03.2018 directed to the office of the undersigned to file prosecution after issue of show cause notice to the company and its officers in default.

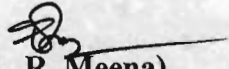
- 1) In view of the above facts the undersigned has reasonable cause to believe that the provision of Section 12(1) of the Companies Act, 2013 has not been complied with by the Company and its officers in default. Thus, the Company and its officers in default have rendered themselves liable to be panel 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) of the Companies Act, 2013 to the Company and Respondents Directors on 19.01.2019. In response of the said notice, no reply filed by the company and its officers in default.
- 3) Thereafter, this office issued adjudication notice for violation of section 12(1) of the Companies Act, 2013 to the Company and Respondent Directors on 26.03.2019 and 09.04.2019 by giving an opportunity of being heard in the matter of adjudication proceeding before the undersigned on 02.04.2019 and 29.04.2019 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 02.04.2019 and 29.04.2019 for adjudicating penalty for violation of provision of section 12 (1) of the Companies Act, 2013. No one were present for adjudication for the offence committed under section 12(1) of the Companies Act, 2013 on the aforesaid dates and time for hearing in the matter.

- 5) That, for proper inquiry about the registered office of the company, an authorized official of this office was deputed at the registered office of the company for physical verification of its registered office on 17.05.2019. The official of this office reported that no registered office of the company was maintained. Copy of the minutes dated 17.05.2019 of physical inspection of regd. office is attached herewith.
- 6) That due to non appearances of the Respondents, the matter was heard ex-party on 27.05.2019 in this office and unanimously decided the company and respondents 2 & 3 have committed violation of section 12(1) of the Companies Act, 2013. It is hereby ordered that sum of Rs. 1,00,000/- each to company and its 2 officers has been imposed penalty and the matter 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. Sanghvi Writing Points Pvt. Ltd. | 1,00,000/- |
| 2. | Shri Virendra Kumar Ramniklal Dave(Director), | 1,00,000/- |
| 3. | Shri Jayant Dwarkada Sanghvi (Director), | 1,00,000/- |
| | Total Rs. | 3,00,000/- |

The adjudication notice stands disposed of with this order.


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

Signed this 27th day of May, 2019.

Copy to:

1. M/s. Sanghvi Writing Points Pvt. Ltd.
 Plot No. 11, GIDC, Dhitra, Indl. Estate,
 Bhavnagar, Gujarat-364 004.

2. Shri Virendra Kumar Ramniklal Dave(Director),
 139, L.I.G., Sashrinagar,
 Bhavnagar-364 022.

3. Shri Jayant Dwarkada Sanghvi (Director),
Plot No. S-1, 13th Road, J.V.P.D. Scheme,
Vile Parle, Mumbai-400 040.

✓ 4. Master File

5. Office Copy