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भारत सरकार/ GOVERNMENT OF INDIA
कार्पोरेट कार्य मंत्रालय / MINISTRY OF CORPORATE AFFAIRS
कम्पनी रजिस्ट्रार का कार्यालय, बंगलूर, कर्नाटक
OFFICE OF THE REGISTRAR OF COMPANIES, BANGALORE, KARNATAKA
"केंद्रीय सदन", II मंजिल, ई विंग, कोरामंगला, बंगलूर - 568 034
"KENDRIYA SADAN", II FLOOR, E-WING, KORAMANGALA, BANGALORE - 568834

सि.सं/F.No.ROCB/ Adj.454/Co.No.107677/Section 12/2019-2020 दिनांक/Date:16/12/2020

ORDER OF ADJUDICATION OF PENALTY UNDER SECTION 454 OF COMPANIES ACT 2013 READ WITH RULE 3 OF THE COMPANIES (ADJUDICATION OF PENALTIES) RULES 2014 FOR VIOLATION OF PROVISIONS OF SECTION 12 OF THE COMPANIES ACT 2013 BY M/S GAJAMUKHA FOODS PRIVATE LIMITED

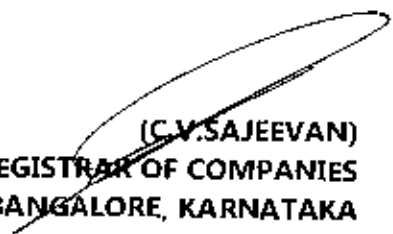
- 1 Whereas the company, M/S GAJAMUKHA FOODS PRIVATE LIMITED was incorporated on 06/11/2017 under the jurisdiction of Registrar of Companies, Bangalore with the registered office situated at No 73/70, Unit 413, Shree Complex, 4th Floor, St. John's Road Bangalore Karnataka 560042 in form SPICe-32 (Proforma for incorporating company) and opted radio button as "NO", thereby confirmed that correspondence address was not the registered office of the company vide Col. No. 4(b) of said SPICe form.
- 2 Whereas sub-section (2) of Section 12 of the Companies Act, 2013 mandates that a Company shall furnish to the Registrar verification of its registered office in Form INC-22 within a period of 30 days of its incorporation in such manner as may be prescribed.
- 3 As per Section 12(8) of the Companies Act 2013, if any default is made in complying with the provisions of Section 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.
- 4 However the Company has not filed the Form INC-22 within stipulated time i.e by 06/12/2017 and filed the same only on 22/01/2019 with a delay of 412 days vide SRN H42693127.
- 5 Due to COVID-19 pandemic, the hearing was held through Video Conference on **05.11.2020**. **Ms. Shaila, Director and founder of the company** attended the hearing and informed that company is a start-up Company and not done much business.
- 6 As no provisions for reducing the penalty, the undersigned in exercise of the powers vested to him vide Section 454(1) & (3) of Companies Act 2013, hereby impose a penalty of **Rs 1,00,000/- each on the Company and its Directors, (1)Ms. Shaila and, (2) Ms. Lakshmi Bheemachar totaling Rs.3,00,000/-**. I hereby direct that they shall pay the penalty amount through their own sources through MCA 21 portal within 60 days from the date of receipt of order. The company needs to file INC-28 as per the provisions of the Act, attaching copy of adjudication order and payment challans.

7 Whereas sub-section (5) of section 454 of the Companies Act, 2013 provides that any person aggrieved by an order made by the adjudicating officer under sub-section (3) may prefer an appeal to the Regional Director having jurisdiction in the matter and further sub-section (6) provides that every appeal under sub-section (5) shall be filed within sixty days from the date on which the copy of the order made by the adjudicating officer is received by the aggrieved person and shall be in such form, manner and be accompanied by such fees as may be prescribed.

8 Please note that as per Section 454(8)(i) of the Companies Act 2013, where as a company fails to comply with the order made under sub-section (3) or sub-section (7) as the case may be, within a period of ninety days from the date of the 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 or any other person who is in default fails to comply with the order made under sub-section (3) or sub-section (7), as the case may be, within a period of ninety days from the date of 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 shall not be less than twenty five thousand rupees but which may extend to one lakh rupees or with both.

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


(C.V.SAJEEVAN)
REGISTRAR OF COMPANIES
BANGALORE, KARNATAKA

F.No.ROCB/ Adj.454/Co.No.107677/Section 12/2019-2020

- 1 M/s GAJAMUKHA FOODS PRIVATE LIMITED
NO 73/70, UNIT 413, SHREE COMPLEX, 4TH FLOOR, ST JOHN'S ROAD
BANGALORE KARNATAKA 560042

F.No.ROCB/ Adj.454/Co.No.107677/Section 12/2019-2020

- 2 Ms. SHAILA Director
NO.62 MEERA MANSION 17TH CROSS, MALLESWARAM
BANGALORE 560055 KARNATAKA

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- 3 Ms. LAKSHMI BHEEMACHAR, Director
#12/1 GURU KRUPA G MAIN STREET, JOUGHAPALYA
OPP SANGEETHA STORES HALASUR H A L 2ND STAGE
BANGALORE NORTH 560008 KARNATAKA