

भारत सरकार/ GOVERNMENT OF INDIA
कार्पोरेट कार्य मंत्रालय / MINISTRY OF CORPORATE AFFAIRS
कम्पनी पंजीयक का कार्यालय, बेंगलूर, कर्नाटका
OFFICE OF THE REGISTRAR OF COMPANIES, BANGALORE, KARNATAKA
“केन्द्रीय सदन”, II मंजिल, ‘ई’ विंग, कोरमंगला, बेंगलूर – 560 034
“KENDRIYA SADAN”, II FLOOR, E- WING, KORAMANGALA, BANGALORE – 560034

मि.सं/F.No.ROCB/ Adj.454/Co.No.115477/Sec12/2019-2020 दिनांक/Date: 27/10/2020

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

- 1 Whereas the company, **M/S KREEDALOKA PRIVATE LIMITED** was incorporated on 14.08.2018 under the jurisdiction of Registrar of Companies, Bangalore with the registered office situated at No. Santosh Farm, behind Helipad, EJ Mane Pose, Sagar, Shimoga 577401 in form SPICe-32 (Proforma for incorporating company) and opted radio button as “NO”, thereby confirmed that correspondence address given 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 further 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 *Whereas sub-section (8) of Section 12 of the Companies Act 2013, mandates that 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 Whereas the Company has not filed the Form INC-22 within stipulated time i.e by 13.09.2018 and filed the same only on 02.02.2019 with a delay of 162 days vide SRN H43867118. The Company vide its adjudication application dated 01.03.2019 and stated that address remain the same which was mentioned in SPICE form as well as present INC 22 filed. But it was an error occurred in stating “NO” in the relevant column of SPICE Form.
- 5 Due to COVID-19 pandemic, hearing was held through Video Conference on **05.09.2020** in compliance of Section 454(4) of Companies Act, 2013. **Mr. Shrinivas Bhat, Chartered Accountant**, Authorised Representative attended the hearing. He admitted the offence and pleaded for less penalty as the registered office mentioned in SPICe Form and e-form INC – 22 are the same and no change in registered office address as the premises are owned by the Directors only.
- 6 In view of the above, the undersigned in exercise of the powers vested to him vide Section 454(1) & (3) of Companies Act 2013, hereby impose a token penalty of **Rs.5000/- each on the Company and its two Directors, viz., Mr. Santhosh Lakshminarayana, Director and Mr. Badagidimba Krishnaiah Saroja, Director, (totaling Rs.15000/-)**. I hereby direct that they shall pay the penalty amount through their own sources through MCA 21 portal and submit proof of payment to this office be produced for verification within 60 days from the date of receipt of order. The company need to file INC-28 as per the provisions of the Act.

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 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 at your own costs without any further notice.

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

F.No.ROCB/ Adj.454/Co.No.115477/Section 12/2020

1) **Ms Kreedaloka Private Limited**
No. 2/1, Santhosh Farm Behind Helipad
Varadahalli Road, Sagara, Shimoga
PIN 577401 Karnataka

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2) **Mr. Santhosh Laxminarayana**
Director
G2, Sai Madhura Elegance
14/2, 24 Main Road, JP Nagar
Bangalore 560078, Karnataka

F.No.ROCB/ Adj.454/Co.No.115477/Section 12/2020

3) **Ms. Badagidimba Krishnaiah Saroja**
Varadahalli Road EJ
Mane Post, Sagar
Shimoga PIN – 577401 Karnataka