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**GOVERNMENT OF INDIA  
MINISTRY OF CORPORATE AFFAIRS  
OFFICE OF THE REGISTRAR OF COMPANIES, KARNATAKA  
II FLOOR, "E" WING, KENDRIYA SADAN, KORAMANGALA, BANGALORE – 560 034**

No. ROCB/ Adj. Order /Sec.454-12/Co. No.96025/2020

Date: 17.12.2020

**ORDER OF ADJUDICATION OF PENALTY UNDER SECTION 454 OF COMPANIES ACT 2013  
READ WITH RULE 11 OF THE COMPANIES (ADJUDICATION OF PENALITIES) RULES 2014  
FOR VIOLATION OF PROVISIONS OF SECTION 12 OF THE COMPANIES ACT 2013 BY M/s  
SEZEN ENGINEERING PRIVATE LIMITED**

1. In the matter of M/s SEZEN ENGINEERING PRIVATE LIMITED incorporated on 26.08.2016 under the jurisdiction of Registrar of Companies, Bangalore with the correspondence address as No 90 Shaswathi Vilas 101, 15<sup>th</sup> Main ,17<sup>th</sup> Cross, JP Nagar 5<sup>th</sup> Phase Bangalore -560078 India in form SPICe -INC-32.
2. Whereas section 12(2) of the Companies Act 2013, 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. Whereas the Company has not filed the Form Inc-22 within stipulated time i.e by 26.09.2016 and the same was filed with a delay of 836 days vide SRN H41551995 on 10.01.2019 mentioning the registered office address as No.104, Chengama Raju Garden Opp Sri guru Raghavendra Nagar, JP Nagar 7<sup>th</sup> Phase, Bangalore-560078.
5. Whereas, this office has received adjudication application on 31/01/2019 for the violation committed. Due to COVID-19 pandemic, hearing was fixed on 24/07/2020 and 05/09/2020 through Video Conference and sent the intimation through emails. However, neither the directors nor the authorized representative of the company attended the hearing in spite of giving opportunities to the company and its officers in default. Hence ex-parte order needs to be passed as per provisions of Section 454(3) of the Companies Act, 2013 read with Rule 11 of Companies (Adjudication of Penalties) Rules, 2014, inter-alia stipulates that "If any person fails to reply or neglects or refuses to appear as required under sub-rule (5) or sub-rule (10) before the Adjudicating Officer, the adjudicating officer may pass an order imposing the penalty in the absence of such person after recording the reasons for doing so.
6. Since no one appeared before the adjudicating officer despite giving opportunities, the undersigned in exercise of the powers vested to him vide Section 454(1) & (3) of Companies Act 2013 and as per Section 12(8) of Companies Act, 2013, considering the



delay of 836 days, hereby impose a penalty of **Rs.1,00,000/- each on the Company and its Four directors who are officers in default, viz.,(1) Mr. Suresh Ramachandra (2) Mr. Gaddikeri Gopalakrishna (3) Mr. Hirenallur Gurusidappa Gurudeva and (4) Mr. Kogili Surendranadha Reddy Directors (totaling to Rs.5,00,000/-) and hereby direct that they shall pay the penalty of Rs.1,00,000/- each** from their own sources in the 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 this 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 sub-Section(6) states 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 received by the aggrieved person and shall in such form, manner and be accompanied by such fees as may be prescribed.
- 8 Please note that as per Section 454(8)(i), where 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 may extend to one lakh rupees, or with both.

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

**(C V SAJEEVAN)**  
**REGISTRAR OF COMPANIES,**  
**KARNATAKA**

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1. M/s SEZEN ENGINEERING PRIVATE LIMITED,  
NO 104 , CHENGAMA RAJU GARDEN,  
OPP SRI GURU RAGHAVENDRA NAGAR,  
JP NAGAR 7<sup>TH</sup> PHASE BANGALORE KA 560078 IN

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2. Mr. SURESH RAMACHANDRA, Director,  
#262, 36th B CROSS, 7<sup>TH</sup> BLOCK, JAYANAGAR,  
BANGALORE 560082 KA IN

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- 3 Mr. GADDIKERI GOPALAKRISHNA  
FLAT NO 101 15<sup>TH</sup> MAIN,  
17<sup>TH</sup> CROSS, JP NAGAR 5<sup>TH</sup> PHASE  
BANGALORE 560078 KA IN

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4. Mr. HIRENALLUR GURUSIDAPPA GURUDEVA, Director,  
90 SHASWATHI VILAS FLAT 201 15<sup>TH</sup> MAIN  
17<sup>TH</sup> CROSS JP NAGAR 5<sup>TH</sup> PHASE  
BANGALORE 560078 KA IN

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5. Mr. KOGILI SURENDRANADHA REDDY ,Director  
FLAT NO 5, SURAJ ENCLAVE, 11<sup>TH</sup> MAIN 36<sup>TH</sup> A CROSS,  
JAYANAGAR 4<sup>TH</sup> BLOCK BANGALORE 560041 KA