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Appellant Vs. Respondent

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SooperKanoon Citation : sooperkanoon.com/1060897

Court : Kolkata

Decided On : Jan-29-2013

Judge : Sanjib Banerjee

Appellant : Appellant

Respondent : Respondent

Judgement :

CP No.447 of 2012 IN THE HIGH COURT AT CALCUTTA ORIGINAL JURISDICTION IN THE MATTER OF: SURSADHNA COMMERCIAL PVT.LTD.AND THE REGISTRAR OF COMPANIES BEFORE: The Hon'ble JUSTICE SANJIB BANERJEE Date :

29. h January, 2013.

Appearance: Mr.Prakash Ch.

Pandey, Adv.Ms.Chandrani Mukherjee, Adv.The Court : The petition is for resurrecting a company which has been struck off the list of functioning companies under Section 560 of the Companies Act, 1956 for the statutory records and documents not having been filed.

The Registrar has filed a statement indicating therein a total amount of Rs.33,000/- on account of filing fees, additional filing fees and penalty would be due from the company to the Central Government if the statutory records not filed earlier were

to be filed now.

The petitioner accepts such position and is agreeable to pay the amount.

Subject to the petitioner paying a sum of Rs.50,000/- to the Registrar of Companies within a fortnight from date, the Registrar will restore the name of the company to the list of active companies and allow access of the relevant portal to the company and its authorised officeRs.The money will be deposited in the same account of the Central Government where filing fees and penalties in such regard are usually received.

In default of the payment within the time indicated, CP No.447 of 2012 will stand dismissed with costs.

For a period of two years from date, the petitioner will have to file its records and documents with the Registrar within the time permitted by statute; or else, the Registrar will be authorised to strike off the name of the company upon previous notice to it.

The petition under Section 560(6) of the Act is disposed of as above without any further order as to costs.

Urgent certified photocopies of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(SANJIB BANERJEE, J.) kc.

AR(CR)

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