

IN THE NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA (DIVISION BENCH -II)  
KOLKATA

C.P. No. 146/KB/2025

In the matter of:

An application under Section 252(3) of the Companies Act, 2013.

And

In the matter of:

Shree Ram Balaji Marbles Pvt.Ltd.

.... Struck Off Company

-And-

Anurag Saraf

...Petitioner

-Versus-

The Registrar of Companies, Kolkata, West Bengal, having his office at Corporate Bhawan, 4<sup>th</sup> Floor, Plot No.IIIF/16, in AA- IIIF Rajarhat, New Town, Akandakeshri, Kolkata,700135.

..... Respondent

*Date of Pronouncement: 22 /05 /2026*

Coram:

Mr.Labh Singh, Member (Judicial)

Ms.Rekha Kantilal Shah, Member (Technical)

Present

Appearance via video conference/physically

Mr.Janana Ranjan Dhal,Adv. ] For the Petitioner

Mr.Jitin Krishnan, AROC ]For the office of RoC

O R D E R

*Per: Labh Singh, Member (Judicial)*

- 1) This Company Petition has been filed by one of the shareholders of the Company u/s 252(3) of the Companies Act, 2013 for restoration of name of the struck off company in the Register of Companies,

maintained in the office of the Registrar of Companies, Kolkata. It is stated that the name of the Company was **struck off on 25/10/2019**.

- 2) It is contended that the Company has not filed the Financial Statements and Annual Returns for the financial year ended 2018-2019 to 2024-2025, due to non-filing of Financial Statements and Annual Returns with the RoC, the Company name got struck off from the Registrar of Companies. It is further submitted that delay in filing the Balance Sheets and Annual Returns were unintentional.
- 3) Upon the said contentions, the Ld. Counsel for the Petitioners prayed for passing an order for restoration of the name of the Petitioner Company.
- 4) Notices were issued to the Registrar of Companies, West Bengal. The Registrar of Companies, West Bengal has submitted its report at the Registry with copy to the petitioner. It was stated in the report that only after compliance of the requirements to be met under Section 248 of the Companies Act, 2013, Registrar of Companies, West Bengal has struck off the name of the petitioner company from the register maintained by the Registrar of Companies, West Bengal .
- 5) Upon perusal of the application, we are satisfied that the name of the company should be restored to the register. Accordingly, the present petition is allowed on the following terms:-
  - a) The Registrar of Companies, Kolkata, West Bengal, the Respondent herein, is directed to restore the original status of the Company as if the name of the Company had not been struck off from the register of companies with the resultant and consequential actions like changing status of the Company from '**Struck Off**' to '**Active**'.
  - b) The Petitioner Company is directed to file all the pending statutory document(s) including Annual Accounts and Annual Returns along with prescribed fees/additional fee/fine as decided by the Registrar of Companies, Kolkata within 45 days from the

date on which its name is restored on the register of companies maintained by the Registrar of Companies, Kolkata.

- c) The restoration of the Company's name is also subject to the payment of cost of Rs.70,000/- (Rupees Seventy Thousand only) for the Financial years 2018-2019 to 2024-2025 through online payment in [www.mca.gov.in](http://www.mca.gov.in) under Miscellaneous Fee by mentioning particulars as "Payment of cost for restoration of company pursuant to orders of NCLT in C.P. No. 67/KB/2024".
  - d) The Petitioner is directed to deliver a certified copy of this order with the Registrar of Companies, Kolkata within thirty days of the receipt of this order.
  - e) This order is confined to the violations, which ultimately led to the impugned action of striking off the name of the Company, and it will not come in the way of Registrar of Companies, Kolkata to take appropriate action(s) in accordance with law, for any other violations / offences, if any, committed by the Company prior to or during the period the name of the Company remained struck off.
- 6) The C.P. No. 146 /KB/2025 is disposed of accordingly.
  - 7) The Registry is directed to send e-mail copies of the order forthwith to all the parties inclusive of the Counsel.
  - 8) Urgent certified copy of this order, if applied for be issued upon compliance with all requisite formalities.

**Rekha Kantilal Shah**  
Member (Technical)

**Labh Singh**  
Member (Judicial)

**Order Signed on this the, 22<sup>nd</sup> May,2026**

Prabhat  
(PS)