

**IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH (Court-I)
KOLKATA**

APPEAL/63(KB)2024

An appeal under Section 252 (1) of the Companies Act, 2013 read with Rule 87A of the national Company Law Tribunal Rules, 2016 and Rule 3 (1) (ix) of the Companies (Removal of Names of Companies from the Register of Companies, Rules, 2016;

In the matter of:

M/s. M.V. Machino Fabco Private Limited (CIN: U229113JH2012PTC000314), a company incorporated under the provisions of the Companies Act, 1956/2013 and having its registered office at Micro Shed No. 7, 6 Phase Industrial Area, Adityapur, Jamshedpur, Seraikela, Jharkhand – 832 108;

... .. Company (Struck Off)

And

In the matter of:

The Registrar of Companies, Jharkhand, Ministry of Corporate Affairs, having its office at Mangal Tower, 4th Floor, Near Kanta Toli Chowk, Old Hazaribagh Road, Ranchi, Jharkhand- 834001.

... .. Applicant/Petitioner

Date of pronouncement: 14.07.2026

CORAM:

SMT. BIDISHA BANERJEE, HON'BLE MEMBER (JUDICIAL)

MS. REKHA KANTILAL SHAH, HON'BLE MEMBER (TECHNICAL)

Appearance (via video conferencing/physically)

Mr. Ajay Choubey, Adv.] For Petitioner

Mrs. Hema Mukherjee, Adv.

Ms. Prity Panja, Adv.

O R D E R

Per Rekha Kantilal Shah, Member (Technical):

1. This Court convened via hybrid conferencing.
2. This appeal being APPEAL/63(KB)2024 preferred by the Applicant/Petitioner under section 252 of the Companies Act, 2016, by inter-alia seeking the following reliefs:
 - (a) *An order be passed for restoring the name of the respondent company in the register of companies maintained by the*

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Registrar of Companies, Jharkhand along with other consequential order(s), so as to give effect to the respondent company and its officers and other stakeholders, the same status, as if the company was never struck off;

(b) Any other or further order or orders be passed and/or direction or directions be given as this Hon'ble Tribunal may deem fit and proper in the interest of justice.

- 3.** It is stated by the learned Advocate for the Applicant/Petitioner that the name of the respondent company was inadvertently struck off from the register of companies by the office of the Applicant/Petitioner, despite the fact that there were open charges pending for satisfaction. This occurred because, although charges existed, the list could not be verified with the system that segregates the names of companies that have failed to file their financial statements/Annual Returns for the last two years, during the last three drives to strike off the names of non-functional companies, as per the directions of the Ministry of Corporate Affairs received from time to time. Copy of Master Data of the company is annexed as Annexure "A-1".
- 4.** It is stated that during the last three drives of striking off of the named of the companies, the office of the Applicant/Petitioner has struck off the names of more than 10,000 companies and due to voluminous task, the name of the respondent company was also struck off inadvertently, due to mechanical process being followed in generation of list of companies from MCA-21 portal and lack of manual verification and internal check.
- 5.** The Ministry on analysis of the list taken from MCA-21 records centrally on Pan India basis found that there are various companies which have been struck off but still having open charges as per back office master data, during the last three drives. In this regard,

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the Ministry has directed vide letter dated 10th December, 2021 to the Applicant/petitioner to file an application before this Tribunal seeking restoration of the name of the company.

- 6.** The Applicant/petitioner presents this application under second proviso to Section 252 (1) of the Companies Act, 2013 seeking restoration of the name of the respondent company in the register of companies.
- 7.** No reply affidavit has been filed by the company till date.
- 8.** In the result, the appeal is allowed by restoring the name of the company in the register of Registrar of Companies, Jharkhand with a direction to modify the status of the company from "**struck off**" to "**active**" within 30 days from the date of receipt of this order.
- 9.** This **APPEAL/63(KB)2024 is allowed and disposed of.**
- 10.** There will be no order as to costs.
- 11.** The Registry is directed to send e-mail copies of the order forthwith to all the parties and their learned Advocate for information and for taking necessary steps
- 12.** Certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

Rekha Kantilal Shah
Member (Technical)

Bidisha Banerjee
Member (Judicial)

Signed on this, the 14th day of July, 2026

M. Jana (P.S.)