

**NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH (COURT-I), CHANDIGARH**

CP No. 23/Chd/Pb/2025

[An Application under sub-section (3) of section 252 of the Companies Act, 2013]

In the matter of:

**Daljit Singh Shareholder of Sahib Colonizers Private
Limited**

Address: Street No.2, Ashmesh Colony,
Nabha, Punjab- 147201
Email Id- cavirender@gmail.com
PAN No: AAJCS8297H

...Applicant

Versus

Registrar of Companies, Punjab and Chandigarh

2nd Floor, Plot No. 4B, Sector 27B,
Madhya Marg, Corporate Bhawan,
Chandigarh - 160019
Email Id: roc.chd@mca.gov.in

...Respondent No.1

Income Tax Department,

Principal Chief Commissioner of Income Tax. NWR,
Aaykar Bhavan, Sector 17, Chandigarh
Email Id: Chandigarh.dcit.hq.vig@incometax.gov.in

...Respondent No. 2

Order pronounced on: 12.06.2026

**CORAM: MR. KHETRABASI BISWAL, HON'BLE MEMBER (JUDICIAL)
MR. SHISHIR AGARWAL, HON'BLE MEMBER (TECHNICAL)**

Appearance:

For the Applicant Company : Mr. Karanveer Jindal, Advocate

For the Income Tax Dept. : Mr Varun Issar, Sr. Standing Counsel

For the RoC, Chandigarh : Mr. Krishan Paul Dutt, AROC

ORDER

The present Application has been filed by **Daljit Singh Shareholder of M/s Sahib Colonizers Private Limited** (hereinafter referred to as the Applicant Company), under sub-section (3) of section 252 of the Companies Act, 2013 (hereinafter referred to as 'Act') read with Rule 87A of the National Company Law Tribunal Rules, 2016 (hereinafter referred to as the 'Rules') praying for restoration of the name of the Company on the Registrar of Companies, Punjab and Chandigarh (hereinafter referred to as 'RoC/ Respondent No.1').

FACTS:

2. The Applicant Company, namely **Daljit Singh Shareholder of M/s Sahib Colonizers Private Limited**, having CIN: U45202PB2006PTC030134, was incorporated under the Companies Act, 2013 on 24.04.2006, and its Registered office situated at Street No. 2, Ashmesh Colony, Nabha, Punjab - 147201. The authorized share capital of the Company is Rs. 25,00,000/- (Rupees Twenty Five Lakhs Only) divided into 2,50,000 (Two Lakhs Fifty Thousand) equity shares of Rs.10/- (Rupees Ten Only) each fully paid up. The issued, subscribed and paid-up share capital of the Company is Rs. 25,00,000/- (Rupees Twenty Five Lakhs Only) divided into 2,50,000 (Two Lakhs Fifty Thousand) equity shares of Rs.10/- (Rupees Ten Only) each fully paid up. The Company is engaged in the business of real estate and properties including purchase of real

estate and development of land/premises/building creation of plots for the purpose of sale, lease & to carry on the business of colonisers & developers of commercial/residential buildings, sale and purchase of properties on commission basis. The Company has been operational since incorporation, possesses valid PAN: AAJCS8297H, and has continued carrying on business activities, maintaining financial records and banking operations.

3. It is submitted by the Applicant Company that due to inadvertent default the Applicant Company failed to file Financial Statements & Annual Return for the period of 2018-19 to 2023-24 and therefore, the Respondent No.1 struck off the name of the Company under Section 248 of the Act on 17.02.2022 .

4. The Applicant undertakes that, in the event of revival of the Company and restoration of its name in the Register maintained by Respondent No. 1, the Company shall file all pending statutory documents and pay the requisite filing fees and additional fees, as applicable, with the office of the Registrar of Companies, Punjab and Chandigarh, at Chandigarh. The Company further submits that the non-filing was due to lack of professional guidance and an inadvertent, unintentional mistake without any mala fide intention, and that it has remained operational, as evidenced by its ownership of land purchased in 2006, maintenance of financial statements for FY 2018-19 to FY 2023-24, filing of Income Tax Returns for FY 2021-22 to FY 2023-24, and the existence of substantial assets and liabilities at the time of strike off.

SUBMISSIONS OF THE REGISTRAR OF COMPANIES:

5. The Registrar of Companies, Punjab and Chandigarh, that is, the Respondent No.1, filed a report on 18.12.2025 stating that the Company was incorporated on 24.04.2006. The RoC stated that the Company failed to file its Annual Returns and Financial Statements for the financial years 2018-19 to 2023-24. Therefore, the name of the Company was struck off *via notification dated* 17.02.2022. Deputy Registrar of Respondent No.1 submitted that since the Company had not filed statutory documents, the name was struck off, and they should be directed to complete all pending filings and payments upon restoration. During the course of hearing dated 22.05.2026, it was stated by Mr. Krishan Paul Dutt, AROC that there is no objection against the proposed revival of the name of the Company.

SUBMISSIONS OF THE INCOME TAX DEPARTMENT:

6. The Income Tax Department, that is, the Respondent No.2, filed its report on 19.12.2025, wherein it is submitted that there is no outstanding demand against the Applicant Company and it is further submitted that it has no objection regarding the restoration of the name of the Company. During the course of hearing dated 22.05.2026, it was stated by Mr. Varun Issar, learned Senior Standing Counsel that there is no demand, no pending proceeding against the Company and the Department has no specific objections.

ANALYSIS AND FINDINGS:

7. Heard the submissions made by the Ld. Counsel for the Applicant Company, Ld. Counsel, Mr Varun Issar, the Income Tax Department and RoC,

for the Registrar of Companies and perused the material available on record, and also perused the extant provisions of the Companies Act, 2013 and rules made thereunder.

8. It is to be noted that the Sub-section (3) of section 252 of the Act, inter alia, provides that the Tribunal is required to be satisfied before exercising jurisdiction to restore the company on the Register of the Registrar of Companies that Company was at the time of its name being struck off, was either carrying on business or was in operation, or otherwise it is just that the name of the Company be restored to the Register of Registrar of Companies.

9. The Applicant Company has submitted that it was carrying on business and was operational at the time its name was struck off from the Register of Companies. In support of its contentions, the Applicant Company has placed on record its financial statements, PAN details and other documents evidencing its business activities and banking operations. The Applicant Company has further undertaken that, upon restoration of its name, it shall file all pending statutory documents, including financial statements and annual returns, along with the prescribed fees and additional fees, as applicable.

10. Learned Counsel for the Applicant Company submitted that the Company's name was struck off due to the non-filing of statutory financial statements and annual returns for the financial years 2018-19 to 2023-24. It was further contended that this default arose from an inadvertent error and a lack of professional guidance, rather than any deliberate intent to evade

statutory compliances. The Counsel emphasized that the Applicant Company has remained a going concern, continuously operational, and actively carrying on its business affairs since its incorporation. Crucially, the Company holds significant immovable property, specifically a parcel of land registered in its name since 2006 which remains in its lawful possession to date. Consequently, the Applicant Company maintains substantial, ongoing assets and liabilities valued at crores of rupees, necessitating the restoration of its name to the Register of Companies

11. In view of the above facts and the material available on record, we are of the considered view that it would be just, equitable and fair in the interest of justice to allow the Applicant Company to rectify its defaults and restore its name in the Register of Companies maintained by the Registrar of Companies.

12. Therefore, in exercise of powers conferred under Section 252 of the Companies Act, 2013, this Tribunal allows the Application subject to payment of costs of ₹50,000/- (Rupees Fifty Thousand Only) by the Applicant to be paid in favour of “Prime Minister National Relief Fund” within three weeks from the receipt of the duly certified copy of this Order, with the following directions:

- (i) The Registrar of Companies, Punjab and Chandigarh shall restore the original status of the Applicant 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 the status of the Company from ‘struck off’ to ‘active’.

(ii) The Applicant Company shall file all pending statutory documents, including annual accounts and annual returns, along with prescribed fees/additional fee/fine as decided by the Registrar of Companies, Punjab and Chandigarh within 45 days from the date on which its name is restored on the Register of Companies maintained by the concerned Registrar of Companies.

(iii) The Applicant Company shall deliver a certified copy of this Order to the Registrar of Companies, Punjab and Chandigarh within a period of thirty days from the date of receipt of this Order.

(iv) On receipt of the certified copy of this Order and after due compliance with the above directions, the Registrar of Companies may publish the Order in the Official Gazette, the cost for which shall be borne by the Applicant Company.

(v) This Order is confined to the violations, which ultimately led to the impugned action of striking off the name of the Company. It will not come in the way of the jurisdictional Registrar of Companies, to take appropriate action in accordance with law, for any other violation/offences, if any, committed by the Applicant Company before or during the period when the name of the Company remained struck off.

(vi) The Income Tax Department may take the necessary action as per law for non-filing or belated filing of the Income Tax Returns of the Company for any of the assessment years and also for recovery of outstanding demand, if any.

13. In light of the discussion, the **Company Petition No. 23/Chd/Pb/2025** is **allowed and disposed of**.

Sd/-

**(SHISHIR AGARWAL)
MEMBER (TECHNICAL)**

Sd/-

**(KHETRABASI BISWAL)
MEMBER (JUDICIAL)
Divya**