

**IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH, COURT- I
C.P. NO. 41/KB/2026**

*An application under Section 252 (3) of the Companies Act, 2013 and NCLT
Rules, 2016 and Rule 87A of the NCLT Amendment Rules, 2017.*

IN THE MATTER OF:

VISHAL CAREWELL TOURS & TRAVELS PRIVATE LIMITED

...Struck Off Company

-And-

IN THE MATTER OF:

RAKESH MEHTA

...Petitioner

-- Versus --

THE REGISTRAR OF COMPANIES, WEST BENGAL

...Respondent

Date of Pronouncement: 15.05.2026

CORAM:

Smt. Bidisha Banerjee, Member (Judicial)

Cmde. Siddharth Mishra, Member (Technical)

APPEARANCES (VIA HYBRID MODE):

Mr. Kishan Goenka, Adv.] For Petitioner

Mr. Mohan Ram Goenka, Adv.]

ORDER

Per: Smt. Bidisha Banerjee, Member (Judicial)

- 1) This Company Petition has been filed by Rakesh Mehta as one of the shareholders of the Struck-off Company *inter alia* under section 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, West Bengal. It is stated that the name of Vishal Carewell Tours & Travels Private Limited (CIN: U63040WB1999PTC088610) (“Company” / “Petitioner Company”) was **struck off on 03.02.2022**.
- 2) Notices were issued to the Registrar of Companies, West Bengal. The Registrar of Companies, West Bengal has submitted a report with copy to the petitioner. It was stated in the report that the name of the Company was struck of under section 248(1) of the Companies Act 2013 since the RoC, West Bengal had reasonable cause to believe that the Company was not carrying on its business or was in operation for the preceding 2 years from the strike-off since the company had not filed its statutory return after the financial year ended on 31.03.2018.
- 3) It is submitted by the Petitioner that such non-filing of the statutory returns for the relevant years occurred *inter alia* due to inadvertence and such lapse was neither intentional nor with any mala fide intention.
- 4) The Ld. Counsel for the Petitioner prayed for passing of an order for restoration of the name of the Company to the register.

IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH, COURT- I
C.P. NO. 41/KB/2026

5) Registrar of Companies, West Bengal has not objected to this application for restoration of the name of the company. On perusal of the application we are satisfied that the name of the company should be restored to the register. Therefore, this petition deserves sympathetic consideration. Accordingly, the present petition is allowed on the following terms :-

- a) The Registrar of Companies, West Bengal, being the Respondent herein, is directed to restore the original status of the Petitioner 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 petitioner company from '**struck off**' to '**Active**'.
- b) The Petitioner Company is directed to conduct all the pending Annual General Meetings, file all pending statutory document(s) including the Annual Returns and Financial Statements of the Company along with legally mandated additional fee/penalty/fine with the Registrar of Companies, West Bengal, within 45 days from the date on which its name is restored on the register of companies maintained by the Registrar of Companies, West Bengal.
- c) The restoration of the Company's name is also subject to the payment of cost of **Rs. 80,000/- (Rupees Eighty Thousand only)** through online payment in 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. 41/KB/2026**".

IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH, COURT- I
C.P. NO. 41/KB/2026

- d) The Petitioner is directed to deliver a certified copy of this order with Registrar of Companies, West Bengal within thirty days of the receipt of this order.
- e) On such delivery and after due compliance with the above directions, the Registrar of Companies, West Bengal, is directed to publish the order in the Official Gazette under his office name and seal;
- f) 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, West Bengal to take appropriate action(s) in accordance with law, for any other violations / offences, if any, committed by the petitioner company prior to or during the period the name of the Company remained struck off.
- 6) The **C.P. No. 41/KB/2026 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(s).
- 8) **Urgent certified copy** of this order, if applied for be issued upon compliance with all requisite formalities.

Cmde. Siddharth Mishra
Member (Technical)

Bidisha Banerjee
Member (Judicial)

Order dated on 15.05.2026.

Bhatt, O. [LRA]