

IN THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH, COURT NO. I
KOLKATA
Company Petition No. 163 of 2026

An application for section 96 and 97(1) of the Companies Act, 2013 read with Rule 74 of the National Company Law Tribunal Rules, 2016 and other applicable rules;

In the matter of:

SANAJIT LASKAR about 53 years, son of Shri Jatan Kanta Laskar (holding 5000 shares) residing at 316/B, Basak Bagan Lane, Kolkata 700048 being shareholder/member of EXCELLENT INFRA PROJECTS PRIVATE LIMITED, a company incorporated under the Companies Act, 1956 and having its Registered Office at Chlorophyl Garden, BL-A,GR-FR, FL-G1, 22 G C Ghosh Road, Parganas North, Kolkata- 700048 West Bengal, within the aforesaid jurisdiction.

...Petitioner

-And-

In the matter of:

1. **EXCELLENT INFRA PROJECTS PRIVATE LIMITED**, a company incorporated under the Companies Act, 1956 and having its Registered Office at Chlorophyl Garden, BL-A,GR-FR, FL-G1, 22 G C Ghosh Road, Parganas North, Kolkata- 700048 West Bengal within the aforesaid jurisdiction and having CIN: U45400WB2009PTC137944.
2. **The Registrar of Companies-II West Bengal**, Government of India, Ministry of Corporate Affairs, having office at "Corporate Bhawan" Plot No. III F/16, Action Area III, Premise No.050852, Akandakeshari, New Town Rajarhat, Kolkata-700135

...Respondents

Pronouncement Date: 06.07.2026

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non-cooperation of the then Statutory Auditor. Consequently, the financial statements could not be finalized, resulting in the delay in convening the Annual General Meetings. The Respondent Company has since appointed a new Statutory Auditor and initiated steps to complete the pending audits and convene the Annual General Meetings at the earliest.

6. We have heard the Ld. Counsel appearing for the Petitioner and the Ld. Counsel appearing for the Respondent, who submits that the books of accounts are now ready and as such the AGM can now be held.
7. Accordingly, we hereby, give the following directions in the exercise of the powers conferred on this Tribunal under section 97(1) of the Companies Act, 2013:
 - (a) The Respondent company shall hold a General Meeting within 60 days from the date of this order, to finalise and approve the Annual Return and Financial Statement for the financial years ended 31st March, 2022, 31st March, 2023, 31st March, 2024 and 31st March, 2025 in accordance with the procedure prescribed in the provisions of Companies Act, 2013 and Rules made therein. This meeting shall be considered as an Annual General Meeting for the purposes of the Companies Act 2013.
 - (b) The Respondent Company is directed to give 21 days' clear notice in advance, either in writing or through electronic mode in the manner prescribed every member of the Company, legal representative of any deceased member or the

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assignee of an insolvent member, the auditors of the Company and every director of the Company in accordance with section 101 of the Companies Act, 2013, informing therein the place, date, day and the hour of the meeting and shall contain a statement of the business to be transacted at such meeting.

- (c) The Respondent, namely, EXCELLENT INFRA PROJECTS PRIVATE LIMITED, shall hold Annual General Meeting within 60 days from the date of this order, to finalise and approve the annual returns and financial papers in accordance with the procedure prescribed in the provisions of Companies Act, 2013 and Rules made therein, subject to payment of a fine of **₹1,00,000/-** [Rupees One Lakh only] to the ROC, Kolkata, and with a further fine which may extend to **₹5,000/-** for everyday under Section 99 of the said Act, 2013. The meeting shall be considered as an Annual General Meeting for the purposes of the Companies Act 2013 and all the pending financial statements shall be prepared and presented in the said meeting. This shall be in addition to the statutory fee as may be required to be paid to the ROC.
- (d) Necessary health protocol and Govt. Advisory, if any, shall be scrupulously followed.
- (e) The Respondent Company is being granted the liberty to approach this Tribunal in case there is any difficulty in holding the Annual General Meeting as directed aforesaid.

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8. Registry is also directed to send a copy of this Order to the Registrar of Companies, West Bengal, Kolkata - II.
9. The C.P. No. 163/KB/2026 is **disposed of** accordingly.
10. Certified copy of this order, if applied for with the Registry be supplied to the parties in compliance with all requisite formalities.

**Rekha Kantilal Shah
Member (Technical)**

**Bidisha Banerjee
Member (Judicial)**

This Order signed on this, 06th July, 2026.

S. Ghose (Steno)