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

CP No. 65/Chd/Pb/2025

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

In the matter of:

SV Systech Private Limited
Through Mr. Harjinder Singh, Member-Cum Director
Address: 816, 1st Floor Udyog Vihar, Phase- 5, Gurgaon,
Haryana, India, 122019
Email Id- bwadhwaco@yahoo.com
PAN No: AANCS1926H

...Applicant Company

Versus

Registrar of Companies, Delhi and Haryana
IFCI Tower, 4th Floor,
61, Nehru Place,
New Delhi-110019,
Email Id: roc.delhi@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: 10.07.2026

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

Appearance:

For the Applicant Company	:	Mr. Rahul Jogi, PCS
For the RoC, Haryana	:	Mr. Vijaya Simha Reddy, Deputy ROC
For the Income Tax Dept.	:	Mr. Varun Issar, Sr. Standing Counsel

ORDER

The present Application has been filed by **SV Systech Private Limited** (hereinafter referred to as the Applicant Company) through its Member (Shareholder)- Cum Director under sub-section (3) of section 252 of the Companies Act, 2013 (hereinafter referred to as 'the 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 Applicant Company on the Register of Companies maintained by the Registrar of Companies, NCT of Delhi and Haryana (hereinafter referred to as 'RoC/ Respondent').

FACTS:

2. The Applicant Company, namely **SV Systech Private Limited,** having CIN: U72300HR2009PTC038692 was incorporated under the Companies Act, 1956 on 14.01.2009, and its Registered office situated at 816, 1st Floor Udhyog Vihar, Phase- 5, Gurgaon, Haryana, India, 122019. The Applicant Company is having its authorised Share Capital of Rs. 5,00,000 (Rupees Five Lakh Only) divided into 10,000 Equity Shares of Rs.10/- each. Subscribed, Issued and Paid up share capital of the Company is Rs. 1,00,000 (Rupees One Lakh Only) divided into 10,000 Equity Shares of Rs.10/- each. The Company carries on the business of designing, developing, maintaining, importing, and exporting computer software, hardware, and e-commerce solutions. It also provides IT-enabled services, website hosting, communication networks, data processing, security consulting, cyber cafes, and technical education or training across Indian and international markets.

3. The Applicant Company inadvertently missed to file Annual Returns and Financial Statements for the financial years 2014-15 to 2016-17, and therefore, the Respondent No.1 issued a notice under Form STK-1 on 22.06.2018 and subsequently struck off the name of the Applicant Company under Section 248 of the Act.

4. The Applicant Company states that in the event of revival of the Company and restoration of the name of the Company in the Register maintained by the Respondent, the Applicant Company shall file all outstanding statutory documents i.e., Financial Statements & Annual Return from the period 2014-15 to 2016-17 along with the requisite standard and additional filing fees.

REPORT OF THE REGISTRAR OF COMPANIES:

5. The Respondent No.1, has filed a report on 20.05.2026 stating that the Applicant Company was incorporated on 14.01.2009 and the last Annual Return and Balance Sheet submitted by the Applicant Company to the RoC, before it was considered to be struck off, pertain to the financial year that ended on 31.03.2014. Moreover, no subsequent documents had been filed by the Applicant Company with the RoC to obtain the status of a "Dormant Company" under Section 455 of the Act therefore, the name of the Company was struck off from the Register of Companies on 18.06.2018. It was stated before this Tribunal that since the Company had not filed financial statements, the name of the Applicant Company was struck off and they may be directed to file the financials once the name is restored.

REPORT OF THE INCOME TAX DEPARTMENT:

6. The Respondent No.2, filed its report on 05.12.2025, submitting that, as per the ITBA records, **no outstanding income tax demand or proceedings are pending against the Applicant Company.** The Ld. Sr. Standing Counsel, Mr. Varun Issar for Income Tax Department submitted before this Tribunal on 05.06.2026 that the Department has **no objection if the name of the Company is restored.**

ANALYSIS AND FINDINGS:

7. Heard the submissions made by the Ld. Counsel for the Applicant Company, Ld. Standing Counsel Mr. Varun Issar for the Income Tax Department and the Dy. RoC, for the Registrar of Companies and perused the material available on record, and also gone through 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 name of 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 filed a Writ Petition before the Hon'ble Punjab and Haryana High Court in the year 2015 and was finally adjudicated by order dated 29.04.2025, whereby the Hon'ble Punjab and Haryana High Court recognized the existence and rights of the Applicant Company in relation to immovable property situated in the Rajiv Gandhi Chandigarh Technology Park, thereby affirming that the Applicant Company continued to have business interests. It has further undertaken that in the event of restoration of the name of the Company, the Applicant Company shall file all outstanding 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 name of the Applicant Company was struck off on account of non-filing of financial statements and annual returns for the financial years 2014-15, 2015-16 and 2016-17. However, the Applicant Company continued to remain operational and carried on its business activities.

11. In view of the above facts and circumstances, we are of the considered view that it would be just, equitable, fair and in the interest of justice to allow the Applicant Company to rectify its defaults and to restore its original name in the Register of 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 Company to be paid in the "Prime Minister National Relief Fund" within three weeks from the receipt of the duly certified copy of this Order, and with the following directions:

(i) The Registrar of Companies, Haryana, 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 jurisdictional Registrar of Companies, 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, Haryana, 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 all 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 above discussion, the **Company Petition bearing No. 65/Chd/Pb/2025** is **allowed and disposed of**.

Sd/-	**Sd/-**
(SHISHIR AGARWAL) **MEMBER (TECHNICAL)**	**(KHETRABASI BISWAL)** **MEMBER (JUDICIAL)** Divya