

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

CP No. 24/Chd/Hry/2023

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

In the matter of:

**Shri Dadhichi Finance And Investment Company
Private Limited**

Address: 9 Navratan Villasschowkhani Estate,
Meham Road, Bhiwani, Haryana
Email Id- vedsangwan@gmail.com
PAN No: AAHCS1665F

...Applicant

Versus

**Registrar of Companies, (NCT of Delhi and Haryana),
Delhi**

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: 12.06.2026

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

Appearance:

For the Applicant Company	: Mr. V.P. Sangwan, Advocate
For the Income Tax Dept.	: Mr. Varun Issar, Sr. Standing Counsel
For the RoC, Haryana	: Mr. Vijaya Simha Reddy, Deputy ROC

ORDER

The present Application has been filed by **Shri Dadhichi Finance And Investment Company Private Limited** (hereinafter referred to as the Applicant Company), through its Director Shri Pawan Kumar, 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 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 **Shri Dadhichi Finance And Investment Company Private Limited**, having CIN: U67190HR1995PTC032508, was incorporated under the Companies Act, 2013 on 16.01.1995, and its Registered office situated at 9 Navratan Villasschowkhani Estate, Meham Road, Bhiwani, Haryana. The Authorized share capital of the company is 5,00,00,000/- (Five crore rupees) divided into 50,00,000 (Fifty Lakhs) equity shares of Rs. 10/- (Rupees Ten) each. The Company carries on the business of finance, investment, and leasing. It finances the purchase or letting on hire of all kinds of plants, machinery, equipment, and properties, while assisting in the purchase and marketing of goods, land, buildings, and vehicles. Additionally, the firm invests and deals in

all types of securities, like shares and debentures, and provides financial management and portfolio services, offering advisory consultancy services to clients.

3. The Applicant Company that it inadvertently missed to file Financial Statements & Annual Return for the period commencing from the Financial Year ended 31.03.2016 onward, and therefore, the Respondent issued a notice under Form STK-1 on 18.06.2018, subsequently struck off the name of the Company under Section 248 of the Act.

4. The Applicant Company 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 Petitioner Company shall file all outstanding statutory documents i.e., Financial Statements & Annual Return for the period 2018, 2019, 2020, 2021, and 2022 along with the requisite standard and additional filing fees.

SUBMISSIONS OF THE REGISTRAR OF COMPANIES:

5. The Registrar of Companies, NCT of Delhi and Haryana has filed a report on 11.11.2024 stating that the Company was incorporated on 16.01.1995 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 31.03.2016. 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.

Deputy ROC, Haryana vide notice dated 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.

SUBMISSIONS OF THE INCOME TAX DEPARTMENT:

6. The Income Tax Department filed its report on 03.06.2026, submitting that, as per the ITBA records, no outstanding income tax demand or proceedings are pending against the Company. The Standing Counsel for Income Tax Department further 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. 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 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 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 unaudited financial statements for the preceding and subsequent years showing turnover and current assets, and has submitted that the Company was carrying on business at the time of striking off. It has further undertaken that in the event of restoration of the name of the Company, the Applicant 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 stated before this Tribunal during hearing on 05.06.2026 that the name of the Applicant Company was struck off on 18.06.2018 in view of the non-filing of financials for preceding two years. It was explained that the Company prepared and had compiled its financial statements for the financial years 2017–18, 2018–19, and 2019–20. However, it was only due to brain haemorrhage suffered by the professional engaged by the Company to file the returns and other documents, they were not filed.

11. In view of the above facts and based on the records available, 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 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 discussion, the **Company Petition bearing No. 24/Chd/Hry/2023** is **allowed and disposed of.**

Sd/-

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

Sd/-

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

Divya