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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO.144 OF 2014

Mr. Dilawar Amir Nensey

...Petitioner

V/s.

The Registrar of Companies, Mumbai

...Respondent

.....

Mr. Shreesh Oak, for the Petitioner.

.....

CORAM : S.C. GUPTE, J.

JANUARY 21, 2015

P.C. :

. This Company Petition is filed by a director of the Petitioner Company under Section 560(6) of the Companies Act, 1956 for setting aside the winding up order and seeking restoration of the Petitioner Company on the register.

2. The Petition has been duly served on the Registrar of Companies. The Registrar of Companies has filed an affidavit-in-reply. The Petition is not opposed by the Registrar but it is submitted that if the relief of restoration is granted, the Petitioner Company and its Director may be directed to file all statutory returns and compliances electronically as per the provisions of Companies Act, 1956 within such time, as may be fixed by this Court, and to comply with Sections 159 and 162 of the Companies Act, 1956 and make appropriate applications for compounding of offences referred to thereunder.

3. For reasons stated in the Company Petition and the affidavit in support thereof, the Petition is allowed in terms of prayer clause (a). The Petitioner Company shall file all statutory returns and compliance electronically under the various provisions of the Companies Act, 1956 with the Registrar of Companies within a period of eight weeks from today. In the case of violation/offences arising out of non-compliance of these provisions, the Petitioner Company shall make appropriate applications under Section 620A of the Companies Act, 1956 for compounding such violations/offences, also within a period of eight weeks from today.
4. The Company Petition is, accordingly, disposed of with no order as to costs.
5. Parties shall act upon an authenticated copy of this order.

(S.C.GUPTE, J.)