

29.09.2022
S/L No.1
KS

CRR 2263 of 2003
M/s Didu Investments Limited & Ors.
-Vs.-
K. A. Rao, Deputy Registrar of Companies

Mr. Sandipan Ganguly
Mr. Ayan Bhattacharya
Mr. Samit Rudra
Ms. Priyanka Sarkar

..... For the Petitioners

Mr. Rahul Sarkar
Mr. Siddhant Srivastava
Mr. A. K. Sethi

.....For the R.O.C.

Pursuant to the order dated 31.08.2022 the petitioners have complied with the direction and deposited penalty to the tune of Rs.50,000/- and Rs.25,000/- (by petitioner nos.2 to 4) and affidavit to that extent has been submitted before this Court. A report has been submitted by the Registrar of Companies, West Bengal.

Having regard to the nature of the provisions for which the petitioners were asked to face the criminal trial and the present amended provisions, I am of the opinion that pursuant to the penalty being deposited by the petitioners further continuance of the proceedings are unwarranted. Accordingly, Case No.C-2474/2003 pending before the learned Metropolitan Magistrate, 10th Court, Calcutta under Section 383A(1A) of the Companies Act, 1956 as also the orders passed therein are hereby quashed.

Accordingly, CRR 2263 of 2003 is allowed.

Pending applications, if any, are consequently disposed of.

The complainant being a statutory authority would be at liberty to use the funds according to the provisions of the Companies Act. The Registrar of Companies pursuant to the earlier direction is present in Court. His further appearance before this Court is dispensed with.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)