

**Application No. RD/ER/454/41/2024/Appeal /6340-45**

**BEFORE THE REGIONAL DIRECTOR, EASTERN REGION**  
**MINISTRY OF CORPORATE AFFAIRS, KOLKATA.**

**IN THE MATTER OF**

THE COMPANIES ACT, 2013

**-AND-**

**IN THE MATTER OF**

CALCUTTA SOUTH CLUB LTD  
WOODBURN PARK KOLKATA 700020,  
West Bengal, INDIA .

**-AND-**

**IN THE MATTER OF**

Appeal under section 454 of The Companies Act, 2013  
against the penalty order dated 08/05/2024 of  
Registrar of Companies, West Bengal passed for  
violations of the provisions of section 101 of the  
Companies Act, 2013.

**-AND-**

**IN THE MATTER OF**

1. CALCUTTA SOUTH CLUB LTD  
WOODBURN PARK KOLKATA 700020,  
West Bengal, INDIA .
2. INDRADEEP MITRA (Director)  
13 MOHAN MITRA LANE, ULTADANGA,  
KOLKATA,700004, West Bengal, India

प्रेषित किया गया/Dispatched by.....  
हस्ताक्षर/Signature.....  
दिनांक/Date 22 OCT 2024

3. HIRALAL BHANDARI (Director)  
15 LOUDON STREET, CIRCUS AVENUE,  
KOLKATA, 700017, WEST BENGAL, INDIA
4. TARUN KUMAR MITRA (Director)  
5/3 BALLYGUNGE PLACE  
KOLKATA 700019, WEST BENGAL, INDIA
5. MALAY SARKER (Director)  
44/3A, 3RD FLOOR, GARCHA ROAD, BALLYGUNGE,  
KOLKATA, 700019, West Bengal, India

..... APPELLANTS

**Date of Hearing** : 30/08/2024

**Present** Aritra Nag, Practicing Company Secretary and  
Authorised Representative

Appellants

### **ORDER**

1. The present appeal under section 454 of the Companies Act, 2013 read with the provisions of the Companies (Adjudication of Penalties) Rules, 2014 was filed vide Form ADJ bearing SRN no. F96302492 dated 20/06/2024 by the aforesaid appellants against the penalty order dated 08/05/2024 passed under section 101 by the Adjudicating Authority i.e. Registrar of Companies, West Bengal communicated to the appellants vide letter no. ROC/ADJ/68/024133/2022/1036 dated 08/05/2024.

2. The office of the Registrar of Companies, West Bengal had issued Adjudication notice vide no. ROC/ADJ/68/024133/2022/11572-11581 dated 09.02.2024 for violation of section 101 of the Act to the Company and its Officers. In this regard, no reply was received by the ROC, West Bengal from the Company and its Officers for aforesaid Adjudication notice.
3. Considering the above facts and circumstances of the case, the Adjudicating Authority had imposed Penalty for violation of section 101 of the Act as under:-

Sl. No.	Name of the Applicant Company/ Director	Total Penalty imposed (in Rs.)
1	CALCUTTA SOUTH CLUB LTD (Company)	10,000
2	HIRALAL BHANDARI (Director)	10,000
3	TARUN KUMAR MITRA (Director)	10,000
4	MALAY SARKER (Director)	10,000
5	INDRADEEP MITRA (Director)	10,000
	Total penalty imposed	50,000

4. Having considered the facts and circumstances of the case, ROC, West Bengal imposed a penalty of Rs. 10,000/- (Rupee Ten Thousand Only) on the concerned Company and Rs. 10,000/- (Rupees Ten Thousand Only) on each of the 4(four) Directors in default under Section 101 of the Act, **in Total Rs. 50,000/-** (Rupees fifty thousand Only) (i.e., Rs. 10,000 for the Company and Rs. 10,000 on each of the four Directors) for failure to make compliance of the Act u/s. 101 of the Act.
  
5. The appeal was heard on 30/08/2024. The Authorized Representative was asked to make submission regarding infirmity if any in the order of Registrar of Companies. The Authorised Representative had no valid submission in this regard. Hence, the order of ROC is confirmed as no cogent ground was made out by Authorised Representative. The undersigned by virtue of the power vested in Regional Director under section 454(7) of the Companies Act, 2013 read with the Companies (Adjudication of Penalties) Rules, 2014 confirms the order dated 08/05/2024 of the Registrar of Companies, West Bengal. The Company and Directors/Officers of the company shall pay the amount of penalty from out of their own pockets. The amount of penalty shall be paid within a period of 90 days from the date of receipt of the copy of the order. Further, if the Company and its Directors fail to deposit the penalty amount within the prescribed time limit, action under section 454(8)(i) and (ii) of the Companies Act, 2013 shall be initiated against the Company and its Directors.

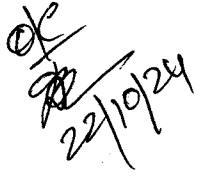
6. Hence the instant Appeal stands disposed of accordingly.

  
(P.Sridhar)  
REGIONAL DIRECTOR (ER)

**Signed this the 22nd day of October, 2024.**

Copy to:-

1. ✓ CALCUTTA SOUTH CLUB LTD  
WOODBURN PARK KOLKATA 700020,  
West Bengal, INDIA .
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44/3A, 3RD FLOOR, GARCHA ROAD, BALLYGUNGE,  
KOLKATA,700019, West Bengal, India
6. ✓ The Registrar of Companies , West Bengal,..... for information  
in respect of his letter no. ROC/ADJ/68/024133/2022/4201 dated  
23/08/2024
7. ✓ The Officer in Charge, E-Gov. Cell, Ministry of Corporate Affairs, 5<sup>th</sup> Floor,  
A wing Shastri Bhavan, New Delhi-110001,-with a request to upload this  
Order on the website of the Ministry.

  
22/10/24