

Application No. RD/ER/454/26/23/Appeal / 6820-24

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

IN THE MATTER OF
THE COMPANIES ACT, 2013

प्रेषित किया गया/Dispatched by: [Signature]
हस्ताक्षर/Signature: [Signature]
दिनांक/Date: 11 NOV 2024

-AND-

IN THE MATTER OF

M/S. MAHEEP MARKETING PVT LTD
PREMISES NO. 69A, PRINCE BAKTIAR SHAH ROAD,
P.O-TOLLYGUNGE, KOLKATA WB 700033 INDIA

-AND-

IN THE MATTER OF

Appeal under section 454 of The Companies Act, 2013
against the penalty order dated 31/07/2023 of
Registrar of Companies, West Bengal passed for
violations of the provisions of section 77 of the
Companies Act, 2013.

-AND-

IN THE MATTER OF:

1. M/S. MAHEEP MARKETING PVT LTD
PREMISES NO. 69A, PRINCE BAKTIAR SHAH
ROAD, P.O-TOLLYGUNGE, KOLKATA WB 700033
INDIA

In the matter of Maheep Marketing Private Limited

2. HEMANT SANGHVI CHIMANLAL (Director)
16, BALKRISHNA NIWAS, L.N. ROAD, OPP.
MATUNGA
GYM KHANE, MATUNGA EAST, MUMBAI
400019, INDIA
3. GAJENDRA KRISHNA SANDIM (Director)
440, GANESH WADISHIRGAON, RATNAGIRI,
RATNAGIRI 415629, MAHARASHTRA, INDIA

..... APPELLANTS

Date of Hearing : 05/09/2024

Present Mohit Surtani, 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. F67110734 dated 11/10/2023 by the aforesaid appellants against the penalty order dated 31/07/2023 under section 77 of the Adjudicating Authority i.e. Registrar of Companies, West Bengal communicated to the appellants vide letter no. ROC/ADJ/2023/065456/4017, 4017A-4017C dated 31/07/2023.

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2. The office of the Registrar of Companies, West Bengal had issued Adjudication notice vide letter no. ROC/ADJ/2023/065456 dated 30.01.2023 for violation of section 77 of the Act to the Company and its Officers. In response to the same, reply was received vide letter dated 03.03.2023 from the Company and its officers for the aforesaid Adjudication notice.
3. Considering the above facts and circumstances of the case, the Adjudicating Authority had imposed Penalty for violation of section 77 of the Act as under:-


Name of the Applicant Company/ Director	Amount of Default (in Rs.)	Total maximum Penalty (in Rs.)
MAHEEP MARKETING PRIVATE LIMITED	5,00,000	5,00,000
HEMANT SANGHVI CHIMANLAL DIN: 00161907	50,000	50,000
GAJENDRA KRISHNA SANDIM DIN: 03347208	50,000	50,000

4. Having considered the facts and circumstances of the case and after taking into account the facts stated above, ROC, West Bengal imposed a penalty of Rs. 5,00,000/- (Rupee Five lacs Only) on the concerned Company and Rs. 50,000/- (Rupees Fifty Thousand Only) on each of the 2(two) Directors in default under Section 77 of the Act, **in Total Rs.6,00,000/-** (Rupees Six lacs Only) (i.e., Rs. 5,00,000 for Company

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and Rs. 50,000 on each of the two Director) for failure to make compliance of the Act u/s. 77 of the Act.

5. The appeal was heard on 05/09/2024. 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 of the Registrar of Companies, West Bengal dated 31/07/2023. 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 11th day of November, 2024.


SIC
21/11/24

In the matter of Maheep Marketing Private Limited

Copy to:-

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PREMISES NO.69A, PRINCE BAKTIAR SHAH ROAD
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3. ✓ GAJENDRA KRISHNA SANDIM (Director)
440, GANESH WADISHIRGAON, RATNAGIRI, RATNAGIRI 415629,
MAHARASHTRA, INDIA
4. ✓ The Registrar of Companies , West Bengal,..... for information
in respect of his letter no. ROC/ADJ/2023/065456/10397 dated
04/01/2024
5. ✓ The Officer in Charge, E-Gov. Cell, Ministry of Corporate Affairs, 5th Floor,
A wing Shastri Bhavan, New Delhi-110001, -with a request to upload this
Order on the website of the Ministry.

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