

F.No:9/07/ADJ/SEC.203 of 2013/KARNATAKA/RD(SER)/2024

BEFORE THE REGIONAL DIRECTOR, SOUTH EAST REGION

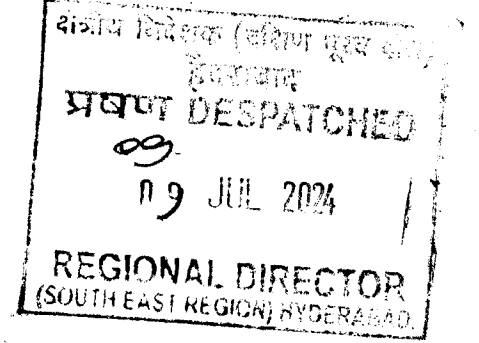
MINISTRY OF CORPORATE AFFAIRS, HYDERABAD

IN THE MATTER OF COMPANIES ACT, 2013

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IN THE MATTER OF VATTIKUTI TECHNOLOGIES PRIVATE LIMITED

1. M/s. Vattikuti Technologies Private Limited  
SY No. 7(P) and 93(P), 1<sup>st</sup> Floor, Electronic City  
Phase II Industrial Area, Begur Hobli, Bangalore,  
Karnataka- 560100.
2. Mr. Raj B Vattikutti, Former Director  
C/o. M/s. Vattikuti Technologies Private Limited  
SY No. 7(P) and 93(P), 1<sup>st</sup> Floor, Electronic City  
Phase II Industrial Area, Begur Hobli, Bangalore,  
Karnataka- 560100.
3. Mr. Alok Ranjan Subudhi, Former Director  
1/E, 706, Elan Divyashree Apartment, Sarjapur Road,  
Opposite to More Maga Store, Kaikon, Bengaluru,  
Karnataka- 560035.
4. Mr. Timothy Stephen Manney, Former Director  
C/o. M/s. Vattikuti Technologies Private Limited  
SY No. 7(P) and 93(P), 1<sup>st</sup> Floor, Electronic City  
Phase II Industrial Area, Begur Hobli, Bangalore,  
Karnataka- 560100.
5. Mr. Gopal Desikan Chakravarthy, Former Director  
No. 762 Embassy Pristine, 32/6/1 Sarjapur, Outer  
Ring Road, Iblur, Bengaluru, Karnataka- 560102.
6. Mrs. Padmaja Raj Vattikutti, Former Director  
C/o. M/s. Vattikuti Technologies Private Limited  
SY No. 7(P) and 93(P), 1<sup>st</sup> Floor, Electronic City  
Phase II Industrial Area, Begur Hobli, Bangalore,  
Karnataka-560 100.



Appellants

Date of hearing : 01.02.2024

Present : Mr. Biswajit Ghosh, PCS

**ORDER**

This is an appeal filed under section 454(5) of the Companies Act, 2013 by the above appellants in e-form ADJ vide SRN F89928444 dated 10.01.2024 against the adjudication order F No. ROC(B)/Adj.Ord.454-203/Vattikuti/Co.No.52074/2023/ dated 10.11.2023 under section 454 passed by the Registrar of Companies, Karnataka for default in compliance with the requirements of Section 203 read with Rule 8A of the Companies (Appointment and Remuneration of Managerial Personnel) Rules, 2014.

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2. Registrar of Companies in his order of adjudication has stated that the company has filed a suo-motu adjudication application on 17.08.2023 regarding non-appointment of whole-time company secretary i.e. violation of section 383A of the Companies Act, 1956 and Section 203 of the Companies Act, 2013. The Company has submitted that it had not appointed a whole time company secretary from 16.02.2011 to 31.03.2019 (2966 days delay), thereby violated the provisions of section 383A of the Companies Act, 1956 and section 203 of the Companies Act, 2013. The company has subsequently appointed a company secretary from 01.04.2019. Hearing was held before Registrar of Companies on 27.09.2023 and after hearing the authorized representative had levied a penalty of Rs.5,00,000/- each on the Company and 4 directors i.e., Mr. Subrahmaniam Krishnaswamy, Mr. Raj B Vattikutti, Mr. Alok Ranjan Subudhi and Mrs. Padmaja Raj Vattikutti and Rs.4,57,000/- each on 2 officers i.e., Mr. Timothy Stephen Manney and Mr. Gopal Desikan Chakravarthy (total aggregating to Rs.34,14,000/-) vide its order dated 10.11.2023.

3. Aggrieved by the order dated 10.11.2023 the applicants herein have filed the instant appeal and an opportunity of being heard was given to the then Regional Director to the Appellants on 01.02.2024. The authorized representative Mr. Biswajit Ghosh, Practicing Company Secretary appeared on behalf of the appellants before the then Regional Director on 01.02.2024.

4. The then Regional Director upon the hearing had reduced the penalty (as imposed by Registrar of Companies) to 15% i.e., for the Company and 3 officers i.e., Mr. Raj B Vattikutti, Mr. Alok Ranjan Subudhi and Mrs. Padmaja Raj Vattikutti amounting to Rs.75,000/- each and for 2 officers i.e., Mr. Timothy Stephen Manney and Mr. Gopal Desikan Chakravarthy amounting to Rs.68,550/- each (total aggregating to Rs.4,37,100/-) and setting aside the penalty imposed by Registrar of Companies for Late Mr. Subrahmaniam Krishnaswamy, who passed away on June 1st, 2015 and had directed the appellants vide his hearing order dated 01.02.2024 to comply with this order.

5. Accordingly, the appellants have paid the penalty i.e. by the Company and 3 officers i.e., Mr. Raj B Vattikutti, Mr. Alok Ranjan Subudhi and Mrs. Padmaja Raj Vattikutti amounting to Rs.75,000/- each and by 2 officers i.e., Mr. Timothy Stephen Manney and Mr. Gopal Desikan Chakravarthy amounting to Rs.68,550/- each (total aggregating to Rs.4,37,100/-) vide SRN's X66581109, X66580507, X66580556, X66581307, X66581679 and X66578428 dated 07.02.2024 respectively, thereby complying the order of the then Regional Director. However, before issuing the order the then Regional Director has been transferred and the undersigned has taken over the charge and the appellants are

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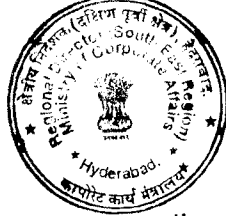


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repeatedly pressing for issuing the final order stating that the delay in issuing the order is causing hardships despite compliance vide their payment challan as stated above. In view of the compliance made by the appellants and representations in person and vide e-mail dated 16.05.2024 requesting for issuing of the final order, this formal order is issued to the appellants recording the facts.

Issued under my hand and seal on this the 05<sup>th</sup> day of July 2024.



  
(M. JAYAKUMAR)  
REGIONAL DIRECTOR (SER)  
HYDERABAD

Copy for information and necessary action to :

1. Registrar of Companies, Ministry of Corporate Affairs, Karnataka, Bangalore.
2. The Joint Secretary, E-Governance Cell, Ministry of Corporate Affairs, New Delhi.

  
(M. JAYAKUMAR)  
REGIONAL DIRECTOR (SER)  
HYDERABAD

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