



Application No. RD/ER/29/Appeal/23/

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

IN THE MATTER OF

THE COMPANIES ACT, 2013

-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

Application under section 454 of The Companies Act, 2013 for preferring an appeal against the penalty order dated 31/07/2023 of Registrar of Companies, West Bengal passed for violating the provisions of section 158 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
2. HEMANT SANGHVI CHIMANLAL (Director)
16, BALKRISHNA NIWAS, L.N. ROAD, OPP. MATUNGA
GYM KHANE, MATUNGA EAST, MUMBAI 400019, INDIA

In the matter of M/s. Maheep Marketing Pvt Ltd

3. GAJENDRA KRISHNA SANDIM (Director)
440, GANESH WADISHIRGAON, RATNAGIRI, RATNAGIRI
415629, MAHARASHTRA, INDIA

..... APPELLANTS

Date of Hearing : 22/02/2024

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. F67108597 dated 11/10/2023 by the aforesaid appellants against the penalty order under section 158 of the Adjudicating Authority i.e. Registrar of Companies, West Bengal dated 31/07/2023 communicated to the appellants vide letter no. ROC/ADJ/2023/0065456/4018D-4018G dated 31/07/2023
2. The office of the Registrar of Companies, West Bengal had issued Adjudication notice for violation of section 158 of the Act vide no. LEGAL/ADJ/2023/065456 dated 30.01.2023 to the company and its officers. In this regard, a reply dated 03/05/2023 was received by the ROC, West Bengal from the Company and its officers for aforesaid
In the matter of M/s. Maheep Marketing Pvt Ltd



Adjudication notice which was not found satisfactory by the Adjudicating Authority.

3. Considering the above facts and circumstances of the case, the Adjudicating Authority had imposed Penalty as under :-

As per table below for violation of section 158 of the Act:

Name of the Applicant Company/ Director	Period of Default (FY)	Amount of Default (in Rs.)	Total maximum Penalty (in Rs.)
MAHEEP MARKETING PRIVATE LIMITED	2014-15	50,000	50,000
HEMANT SANGHVI CHIMANLAL DIN: 00161907	2014-15	50,000	50,000
GAJENDRA KRISHNA SANDIM DIN: 03347208	2014-15	50,000	50,000

4. Having considered the facts and circumstances of the case and after taking into account the factors above, ROC, West Bengal imposed a penalty of Rs. 50,000/- (Rupee fifty thousands Only) on the concerned Company and Rs. 50,000/- (Rupees Fifty Thousand Only) each of the 2 Directors in default for F.Y 2014-15 under Section 172 of the Act, **in Total Rs. 1,50,000/-** (Rupees One lakh fifty thousand Only) (i.e., Rs. 50,000 for Company and Rs. 50,000 x 2 Directors) for failure to make compliance of the Act u/s. 158 of the Act.
5. The appeal was heard on 22/02/2024 Authorised Representative was asked to make submission regarding any infirmity in the order of

In the matter of M/s. Maheep Marketing Pvt Ltd

Registrar of Companies. The Authorised Representative had no 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 27th day of June, 2024.

Copy to:-

- ✓ 1. M/S. MAHEEP MARKETING PVT LTD
PREMISES NO. 69A, PRINCE BAKTIAR SHAH ROAD
P.O-TOLLYGUNGE, KOLKATA WB 700033 INDIA
2. HEMANT SANGHVI CHIMANLAL (Director)
16, BALKRISHNA NIWAS, L.N. ROAD, OPP. MATUNGA
GYM KHANE, MATUNGA EAST, MUMBAI 400019, INDIA

In the matter of M/s. Maheep Marketing Pvt Ltd

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/2023/065456/10396 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.