

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) No. 413 of 2017

IN THE MATTER OF:

Thoughtbuzz India Private Limited & Ors.

...Appellants

Vs.

**Registrar of Companies,
NCT of Delhi and Haryana**

...Respondents

Present:- For Appellant:- None.

ORDER

19.12.2017- The Appellants filed application under Section 441 of the Companies Act, 2013 for compounding of the offences under Sections 92, 96 and 129 of the Companies Act, 2013. Such offences were punishable under Sections 92(5), 99 and 129(7) of the Companies Act, 2013 and the Registrar of Companies has recommended the fine as under: -

“U/s 92(5) of the Companies Act, 2013

S.NO.	Name of Applicant	Fine 92(5)	Default Period	Amount
1.	Thoughtbuzz India Private Limited	92(5)	28.02.2017 to 11.09.2017	5,00,000/-
2.	Mr. Deepak Mittal	92(5)	28.02.2017 to 11.09.2017	5,00,000/-
4.	Mr. Irfan Ejaz Khan	92(5)	28.02.2017 to 11.09.2017	5,00,000/-

Contd/-.....

U/ s 99 of the Companies Act, 2013

S.No.	Name of Applicant	Fine 99	Default Period	Amount
1.	Thoughtbuzz India Private Limited	99	30.12.2106 to 07.09.2017	13,50,000/-
2.	Mr. Deepak Mittal	99	30.12.2106 to 07.09.2017	13,50,000/-
3.	Mr. Irfan Ejaz Khan	99	30.12.2106 to 07.09.2017	13,50,000/-

U/s 129 of the Companies Act, 2013

S.No.	Name of Applicant	Fine 129(7)	Default Period	Amount
1.	Mr. Deepak Mittal	129(7)	2015-2016	5,00,000/-
2.	Mr. Irfan Ejaz Khan	129(7)	2015-2016	5,00,000/-

2. The total amount recommended by the office of the RoC for the aforesaid three defaults is therefore Rs. 23.5 lakhs on each of the Applicant(s)/Director(s) and Rs. 18.5 lakhs on the Company. However, on hearing the learned counsel for the Appellants, the Tribunal compounded the offences and reduced the amount from Rs. 18.5 lakhs to Rs. 3.5 lakhs for the Company and from Rs. 23.5 lakhs each to Rs. 4.5 lakhs for each of the Directors. In spite of the same, the Appellants being

not satisfied with the order has preferred this appeal.

3. In spite of repeated calls, nobody appears on behalf of the Appellants. The appeal is accordingly dismissed both on the counts of default and on merit. No cost.

(Justice S.J. Mukhopadhaya)
Chairperson

(Justice Bansi Lal Bhat)
Member(Judicial)

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