

**IN THE MATTER OF COMPANIES ACT, 2013**

AND

**IN THE MATTER OF ADJUDICATION PROCEEDING FOR VIOLATION OF  
SECTION 12(3)(C) OF THE COMPANIES ACT, 2013.**

And

28 JUN 2019 /  
SGB

**IN THE MATTER OF M/S. CITY LIGHT INFRASTRUCTURE PRIVATE LIMITED.**

1. M/s. CITY LIGHT INFRASTRUCTURE PRIVATE LIMITED,  
A-11, Aryaman, Opp. Anandniketan Scholl,  
Thaltej-shilaj Road, Shilaj, Ahmedabad- 380 059
2. NAINESHBHAI BABALDAS PATEL (Managing Director)  
A /11A Aryaman Bunglows, Opp. Anand Niketan School,  
Near, Railway Crossing, Shilaj Daskroi,  
Thaltej, Ahmedabad-380059.
3. BABALDAS SHANKARDAS PATEL (Managing Director)  
A-11A, Aryaman Bunglow, Nr. Railway Crossing,  
Thaltej, Shilaj Rd, Shilaj, Ahmedabad,380059

.....Respondents

**Date of hearing- 20.06.2019**

**Present**

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| 1. Shri L. R. Meena, Registrar of Companies        | <b>Adjudicating Officer</b>  |
| 2. Shri Sudhir Phaye, Dy. Registrar of Companies,  | <b>Presenting Officer</b>  |
| 3. Shri Naresh Chandra, Senior Technical Assistant | <b>Present staff</b>   |
| 4. Shri Chetan Babaldas Patel,                     | <b>Director of the company and<br/>authorised representative of<br/>the above respondents.</b> |

**ORDER**

The above named company was incorporated on 25.02.2003 and as per record of this office presently the company is having its registered office situated at A-11, Aryaman, Opp. Anandniketan Scholl, Thaltej-shilaj Road, Shilaj, Ahmedabad- 380 059.

**Whereas** M/s. CITY LIGHT INFRASTRUCTURE PRIVATE LIMITED (herein after referred to as "company") is a company having its Registered office at registered office situated at A-11, Aryaman, Opp. Anandniketan Scholl, Thaltej-shilaj Road, Shilaj, Ahmedabad- 380 059 registered under the provisions of the Companies Act, 1956 (hereinafter referred to as "Act") in the state of Gujarat.

**And whereas** as per Section 12 (3)(c) of the Companies Act, 2013, every company shall, get its name, address of its registered office and the Corporate Identity Number along with telephone number, fax number, if any, e-mail and website addresses, if any, printed in all its business letters, billheads, letter papers and in all its notices and other official publications.

**And Whereas,** it is noticed from the Company's Letter dated 25.03.2019 submitted to this office for updation of the Index of Charge of the company, that the CIN is not printed on the said Letter head of the Company as required under the provisions of section 12(3)(c) of the Companies Act, 2013, thereby violated the provisions of Section 12(3)(c) of the Companies Act, 2013.

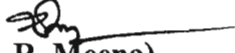
- 1) In view of the above facts the undersigned has reasonable cause to believe that the provision of Section 12(3)(c) of the Companies Act, 2013 has not been complied with by the Company and its officers in default. Thus, the Company and its officers in default have rendered themselves liable to be panel action as provided in sub-section (8) of section 12 of the Companies Act, 2013. As per provision of section 12 (8), there is provision for penalty for which the ROC is empowered to adjudicate the penalty under section 454 (3) of the Companies Act, 2013.
- 2) The office of the Registrar of Companies, Gujarat, Dadra and Nagar Haveli issued show cause notice for violation of section 12(3)(c) of the Companies Act, 2013 to the Company and Respondents Directors on 06.05.2019. The company vide Letter dated 13.05.2019 had submitted reply, which was not found satisfactory.
- 3) Thereafter, this office issued adjudication notice for violation of section 12(3)(c) of the Companies Act, 2013 to the Company and Respondent Directors on 11.06.2019 by giving an opportunity of being heard in the matter of adjudication proceeding before the undersigned on 20.06.2019.
- 4) The undersigned in exercise of power conferred under sub section 3 of section 454 of the Companies Act, 2013 fixed the date of hearing on 20.06.2019 for adjudicating penalty for violation of provision of section 12(3)(c) of the Companies Act, 2013.
- 5) In response to the adjudication notice dated 20.06.2019 issued by the undersigned, the Company and its officer in default have authorized Shri Chetan Babaldas Patel a director of the company, vide Board Resolution dated Letter 14.05.2019 to appear and represent before the adjudicating authority- Registrar of Companies, Gujarat on the above given date and time for oral and written submission and to all acts and things as may be necessary and incidentally in the matter.

- 6) During the hearing on 20.06.2019, Shri Chetan Babaldas Patel, Director and Authorized representative of the Respondents reiterated submissions made in the adjudication notices. He placed the Letter dated 20.06.2019 before the members stating that due to inadvertently the company could not mentioned the CIN of the company in the letter dated 25.03.2019 submitted to ROC office, which is mandatory as per section 12(3)(c) of the Companies Act, 2013. Error was occurred since the company has used old letter head version saved in the computer and the company immediately corrected the mistake. Now, the company is using amended version of the letter head. He further submitted that the violation on the part of the Respondents was absolutely unintentional and was committed inadvertently without any malafied intension.
- 7) That keeping in mind all the relevant facts and after consideration of the oral submissions made by Shri Chetan Babaldas Patel, Director and Authorized Representative of the Respondents, it is observed that the Company and Respondents i.e. No. 2 and 3 had committed default under section 12(3)(c) of the Companies Act, 2013 for not mention in the CIN on the Company's Letter dated 20.03.2019. The submission made by Shri Chetan Babaldas Patel, Director on behalf of the Respondents appears to be satisfactory. However, as a matter of fact as above stated, it is hereby ordered that Penalty of Rs. 1000/- each to Company and its 2 Managing Directors of the Company have been imposed and the matter stand disposed off.

The penalties imposed as under should be paid by the Respondents as per Law and submit the copies of Challan to this office. The company should file the INC 28 with attachment of this order and copy of aforesaid Challan.

Sr. No.	Name of the Respondents	Amount (In Rs.)
1.	M/s. CITY LIGHT INFRASTRUCTURE PRIVATE LIMITED	1,000/-
2.	NAINESHBHAI BABALDAS PATEL (Managing Director)	1,000/-
3.	BABALDAS SHANKARDAS PATEL (Managing Director)	1,000/-
	Total Rs.	3,000/-

The adjudication notice stands disposed of with this order.

  
**(L. R. Meena)**  
 Adjudicating officer,  
 Registrar of Companies,  
 Gujarat, Dadra and Nagar Haveli.

Signed this 20<sup>th</sup> day of June, 2019.



Copy to:

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Thaltej, Shilaj Rd, Shilaj, Ahmedabad, 380059
4. Master File
5. Office Copy