



4. An opportunity of being heard was given to the Appellants on 26.10.2020. The Authorized Representative Shri. Cheringal Jithesh, PCS appeared for the Appellants while reiterating the grounds taken in the appeal had stated that the company had delayed in filing Form INC-20A only by 31 days and hence sought condonation. However, the fact of the matter is that the company ought not to have commenced business without filing INC-20A, whereas the Financial Statements for 2018-19 show that the company had revenues of Rs. 2,69,000/- till 31.03.2019. The due date of filing of INC-20A was 11.06.2019, whereas it had commenced the business and did business without filing Form INC-20A. However, the business volumes are not substantial.

5. Though there is a default committed, there is a ground in interfering with the impugned adjudication order of the Registrar of Companies to the extent of reducing the quantum of penalty. Accordingly, the penalties are reduced to Rs. 25,000/- on the Company and Rs. 15,500/- for the Director. The Appellants shall pay the penalty in 30 days failing which the ROC, Kerala is directed to file prosecution for non-compliance of this order under Sec. 454(8) (ii) of the Companies Act, 2013.

Dated at Chennai this the 02<sup>nd</sup> day of November, 2020.



  
(M.R. BHAT)  
REGIONAL DIRECTOR (SR)

To

1. ✓ M/s. Eyeris Constructions and Facility Management Private Limited,  
No. 39/1023 B6, Komalam Building,  
Puthiyangadi, Kozhikode,  
Kerala - 673 021.
2. Shri. Mannaru Kandy Shamjith
3. The Registrar of Companies, Kerala.
4. The Officer in Charge, e-Gov. Cell, Ministry of Corporate Affairs, A-Wing, Shastri Bhavan, Dr. Rajendra Prasad Road, New Delhi -110 001- with a request to upload this Order on the website of the Ministry. Mail sent to Shri Vivek Meena, Asst. Director (vivek.meena@gov.in) and Shri B. Srikumar, Deputy Director, (srikumar.b@gov.in)