

भारत सरकार

कॉर्पोरेट कार्य मंत्रालय

कंपनी पंजीयक कार्यालय, दिल्ली एवं हरियाणा
चतुर्थ तल, आई.एफ.सी.आई. टॉवर, 61 नेहरू प्लेस,
नई दिल्ली -110019



GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS,
OFFICE OF REGISTRAR OF COMPANIES,
NCT OF DELHI & HARYANA
4TH FLOOR, IFCI TOWER, 61, NEHRU
PLACE, NEW DELHI -110019

ROC/DEL/ADJ/PRIPL/2025/6461

Date: 16.05.2025

ADJUDICATION ORDER FOR PENALTY UNDER SECTION 454(3) OF THE COMPANIES ACT, 2013 READ WITH RULE 3 OF COMPANIES (ADJUDICATION OF PENALTIES) RULES, 2014 FOR VIOLATION OF SECTION 12(1) OF THE COMPANIES ACT, 2013 IN THE MATTER OF PRATEEK REALTORS INDIA PRIVATE LIMITED (CIN: U70101DL2009PTC197028).

1. Appointment of Adjudicating Officer: -

Ministry of Corporate Affairs vide its Gazette Notification No A-42011/112/2014-Ad. II dated 24.03.2015 appointed Registrar of Companies, Delhi Union Territory of Delhi and whole state of Haryana as Adjudicating Officer in exercise of the powers conferred by section 454 of the Companies Act, 2013 [herein after referred as Act] read with Companies (Adjudication of Penalties) Rules, 2014 for adjudging penalties under the provisions of this Act.

2. Company: -

Whereas Company **PRATEEK REALTORS INDIA PRIVATE LIMITED** [herein after known as **Company**] is a registered company with this office under the provisions of Companies Act, 2013/ 1956 (or previous Acts in force, as applicable) having its registered address at Plot No. 101-102, Himalaya Palace, 65 Vijay Block, Laxmi Nagar, G Block, Shakarpur, East Delhi, Delhi, India, 110092 as per the MCA website. The financial & other details of the subject company for immediately preceding financial year as available on MCA-21 portal is stated as under: -

S.no	Particulars	Details
1	Paid up Capital- as on date 31.03.2024	3,21,55,000
2	Turnover- (Revenue from operations as per Balance sheet filed on MCA-21 portal for the F.Y 2021-22)	98,251,705
3	Holding Company	NA
4	Subsidiary Company	NA
5	Whether company registered under Section 8 of the Act?	No
6	Whether company registered under any other special Act?	No

3. Facts about the Case:

Whereas information has been received in this office through a complaint dated 20.12.2023 which was filed by Pankaj Prasad on PG portal for non-maintenance of the registered office by the company as letter sent by the complainant to the company has returned back undelivered with remarks "LEFT" and it was found that company is not maintaining its registered office at the given address, which proves that company has made the violation of section 12 of the Companies Act, 2023.

In reference to the complaint, SCN was issued by this office and was sent to the company and its officers in default on 19.01.2024 through speed post. As per postal tracking no. (ED885477271IN) SCN was not delivered at the registered office of the company. However reply has been received in this office by both directors of the company on 09.02.2024 & 13.02.2024 stating that since Covid-19 the company has implemented hybrid model to ensure the safety and well-being of the employees, and admitted that due to this arrangement there is a possibility that any post may be returned, proves that company has violated the provision of section 12(1) of the Company Act, 2013.

4. The relevant provisions of Sections 12 are reproduced as under: -

Registered office of company. — (1) A company shall, 3 [within thirty days of its incorporation] and at all times, thereafter, have a registered office capable of receiving and acknowledging all communications and notices as may be addressed to it.

(2) The company shall furnish to the Registrar verification of its registered office within a period of thirty days of its incorporation in such manner as may be prescribed

(3) Every company shall—

(a) paint or affix its name, and the address of its registered office, and keep the same painted or affixed, on the outside of every office or place in which its business is carried on, in a conspicuous position, in legible letters, and if the characters employed therefor are not those of the language or of one of the languages in general use in that locality, also in the characters of that language or of one of those languages;

4[(b) have its name engraved in legible characters on its seal, if any;]

(c) 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

(d) have its name printed on hundies, promissory notes, bills of exchange and such other documents as may be prescribed:

Provided that where a company has changed its name or names during the last two years, it shall paint or affix or print, as the case may be, along with its name, the former name or names so changed during the last two years as required under clauses (a) and (c):

Provided further that the words "One Person Company" shall be mentioned in brackets below the name of such company, wherever its name is printed, affixed or engraved.

(8) If any default is made in complying with the requirements of this section, the company and every officer who is in default shall be liable to a penalty of one thousand rupees for every day during which the default continues but not exceeding one lakh rupees.

5. Adjudication of Penalty: -

The amount of penalty as provided under sub section (8) of Section 12 is leviable on the company and its two directors namely PRASHANT KUMAR TIWARI and PRATEEK TIWARI. The following is the calculation of penalty: -

A	B	C	D	E	F
Violation section	Period of default (in days)	S.no	Particulars	Amount of Total Penalty as prescribed under section 12(1) of the Companies Act, 2013	Amount of Total Penalty as prescribed under section 12(8) of the Companies Act, 2013
Section 12 (1) of the Act	119 Days [22.09.2023 till 19.01.2024]	1	PRATEEK REALTORS PRIVATE LIMITED	119 days X 1000= Rs 119000 Subject to maximum (1,00,000)	1,00,000/-
Section 12 (1) of the Act	119 Days [22.09.2023 till 19.01.2024]	2	PRASHANT KUMAR TIWARI	119 days X 1000= Rs 119000 Subject to maximum (1,00,000)	1,00,000/-
Section 12 (1) of the Act	119 Days [22.09.2023 till 19.01.2024]	3	PRATEEK TIWARI	119 days X 1000= Rs 119000	1,00,000/-

				Subject to maximum (1,00,000)	
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6. The notices shall pay the said amount of penalty as mentioned in column F above through online mode by using the website www.mca.gov.in (Misc. head) in favour of "Pay & Accounts officer, Ministry of Corporate Affairs, New Delhi, payable at Delhi, within 90 days of receipt of this order, and intimate this office with proof of penalty paid, in case of the above-mentioned officers in default, penalty is required to be paid from their own fund.
7. The company and its directors are hereby directed to rectify the default immediately on the date of receipt of copy of this order and file a e-form to record / register the details of the new registered office of the Company.
8. Appeal against this order may be filed with the Regional Director (NR), Ministry of Corporate Affairs, B-2 Wing, 2nd Floor, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi-110003 within a period of sixty days from the date of receipt of this order, in Form ADJ [available on Ministry website www.mca.gov.in] setting forth the grounds of appeal and shall be accompanied by a certified copy of the order. [Section 454(5) & 454(6) of the Act read with Companies (Adjudicating of Penalties) Rules, 2014].
9. Your attention is also invited to section 454(8) of the Act in the event of non-payment of penalty within the prescribed time limit.
10. In terms of the provisions of sub-rule (9) of Rule 3 of Companies (Adjudication of Penalties) Rules, 2014 as amended by Companies (Adjudication of Penalties) Amendment Rules, 2019, copy of this order is being sent to Company and its officer in default and also to Office of the Regional Director (Northern Region), Ministry of Corporate Affairs at New Delhi.
11. It is hereby advised that such violations shall not be repeated in the future. Any subsequent contravention will invite action under section 454 A of the Companies Act, 2013.
12. In this matter, the SCN was issued on 19.01.2024 and as per gazette notification no **CG-DL-E-09102024-257790** dated 09.10.2024 the proceedings pending before the Adjudicating Officer on the date of such commencement, i.e. 16.09.2024, shall continue as per provisions of rules existing prior to such commencement. Therefore, this case is being processed physically


(SEEMA RATH) ICLS

Adjudicating Officer & Registrar of Companies
NCT OF DELHI & HARYANA

To,

1. ✓ PRATEEK REALTORS INDIA PRIVATE LIMITED

Plot No. 101-102, Himalaya Palace, 65 Vijay Block, Laxmi Nagar, G Block, Shakarpur, Delhi, East Delhi, Delhi, 110092, India.

2. PRASHANT KUMAR TIWARI

H-15MAHARANI BAGHNEW DELHI, 110065, Delhi, India

3. PRATEEK TIWARI

H-15MAHARANI BAGH, NEW DELHI, 110065, Delhi, India.