

S.No.5

**IN THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH – 1
VC AND PHYSICAL (HYBRID) MODE
ATTENDANCE CUM ORDER SHEET OF THE HEARING HELD ON
06-05-2026 AT 1:00 PM**

CP No. 29/441/HDB/2026

U/s. 441 R/w Section 96 of Companies Act, 2013

IN THE MATTER OF:

M/s. Champak Technologies Pvt Ltd.,

...Petitioner

AND

The ROC, Telangana

...Respondent

C O R A M :-

SH. RAJEEV BHARDWAJ, HON'BLE MEMBER (JUDICIAL)

SH. SANJAY PURI, HON'BLE MEMBER (TECHNICAL)

ORDER

Present: Mr. C V Reddy, Ld. PCS for the Petitioner.

Orders pronounced, recorded vide separate sheets.

In the result, this petition is allowed.

Sd/-

MEMBER (T)

Sd/-

MEMBER (J)

**NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH-1**

CP No. 29/441/HDB/2026

Petition u/s 441 of the Companies Act, 2013

In the matter of:-

CHAMPAK TECHNOLOGIES PRIVATE LIMITED

(CIN: U72900TG2009PTC062474)

Registered Office: Flat No.2402, Fourth Floor, Block No.02,
Vasavi Srinilayam, Chintalkunta, Saroornagar Mandal, LB Nagar,
Hyderabad-500074, Telangana.

.....Petitioner

AND

The Registrar of Companies
2nd Floor, Corporate Bhawan
GSI Post, Tattiannaram, Bandlaguda
Nagole, Hyderabad, 500068, Telangana

...Respondent

Date of order: 06.05.2026

Coram:

Shri Rajeev Bhardwaj, Hon'ble Member (Judicial)
Shri Sanjay Puri, Hon'ble Member (Technical)

Appearance:

For Petitioners: Shri C.V.Reddy K, PCS
For Respondent: Mr. Vasantha Kumar, O/o ROC (T)

ORDER

1. This Compounding Application has been filed by M/s. Champak Technologies Private Limited (Petitioner Company / Petitioner No.1) and its Director under Section 441 of the Companies Act, 2013 r/w Section 96 of the Companies Act, 2013 praying to allow the compounding application by considering the Company's financial position, capital investment and to adjust the fee already paid by the Company against the Compounding fee that may be imposed by the Tribunal.
2. The Petitioner Company was incorporated on 06.01.2009 under the provisions of the Companies Act, 1956, vide CIN: U72900TG2009PTC062474, within the jurisdiction of the Registrar of Companies, Telangana, Hyderabad (RoC).
3. This Petition is filed under Section 441 for not conducting the Annual General Meeting within stipulated period for the financial years 2018-19 to 2022-2023. However, Annual General Meeting was conducted on 22.02.2024, 23.02.2024, 24.02.2024, 29.02.2024 and 13.03.2024. Thus, it is regarded as violation of law and the petition is filed for compounding such offence.
4. It is stated that petitioner Company has approached the Registrar of Companies, Hyderabad, Telangana for Compounding of Offence under Section 441 of the Companies Act, 2013 filed an application

vide Form GNL-1 on 20th August, 2024 and physical application on 22.08.2024. Wherein, the Registrar of Companies, Hyderabad, Telangana has inadvertently forwarded the Compounding Application to the Hon'ble Regional Director and the Directorate has passed an interim order on 07.04.2026 instead of referring matter to this Tribunal.

5. However, after issuing the order and payment of penalty by the Company, the Directorate realized that there was an error of judgement and the Hon'ble Regional Director recalled the interim order immediately and directed to approach the Hon'ble NCLT.
6. Thus, the present petition is filed before this Tribunal to allow the compounding application and to adjust the fee already paid by the Company against the Compounding fee that may be imposed by the Tribunal.
7. According to the RoC Report dated 02.04.2026, the Petitioner Company, its Director are found to have violated the provisions of Section 96 of the Companies Act, 2013. The RoC Report further states that the Petitioner Company and its Officers in default have failed to hold Annual General Meeting(AGM) within the prescribed time limits for the FY- 2018-19 to F.Y 2022-23 and thus, resulted in levying fine for each financial year, and the aggregate fine imposed on each offender amounts to Rs.2,25,25,000/-.

8. However, Regional Director had inadvertently passed an interim order on 16.04.2026, subsequently, the Company and its Directors have remitted the amount of Compounding totalling to Rs.9,00,000/-

Payment Made by the Applicants

It is observed that the Petitioner Company and its officers have already remitted the following amounts:

- Petitioner Company – ₹4,00,000/-
- Managing Director – ₹2,50,000/-
- Director – ₹2,50,000/-

Total Amount Paid: ₹9,00,000/-

The proof of such payment has been placed on record. The Regional Director has also recommended that the amount already remitted may be considered towards compounding.

9. Consideration by the Tribunal

- 9.1 This Tribunal has carefully considered the application, report of the Regional Director and the material available on record.
- 9.2 It is observed that the offence committed by the Petitioner Company is punishable with **fine only** and is therefore compoundable under Section 441 of the Companies Act, 2013.
- 9.3 It is observed from the report of the Regional Director that the total fine imposable exceeds **₹25,00,000/- per offender**, and therefore, in terms of **Section 441(1)(a) & (b)** of the Act, the jurisdiction to compound the offence lies with this Tribunal. It is further observed that the Regional Director had inadvertently passed an interim order and subsequently **recalled the same upon realization of lack of**

jurisdiction, and thereafter forwarded the matter to this Tribunal for appropriate orders.

9.4 It is further observed that since the maximum fine imposable exceeds ₹25,00,000/-, the jurisdiction to compound the offence vests with this Tribunal and not with the Regional Director.

9.5 This Tribunal also takes note of the fact that the Petitioner Company and its officers have already remitted a sum of ₹9,00,000/- towards compounding of the offence.

10. Taking into consideration the overall facts and circumstances, especially the financial condition of the Company, default period and explanation given by the petitioner, we compound the offence for a sum of Rs.10,00,000/-. As the petitioner as well as its Directors has already paid Rs.9,00,000/- therefore remaining amount of Rs.1,00,000/- has to be paid to the Central Government within 30 days from the date of this order.

11. Accordingly, this Compounding Application vide Company Petition No. CP 29/441/2026 is, therefore, disposed of.

12. The Registry shall send a copy of this Order to the Registrar of Companies, Hyderabad, Telangana.

-sd-

(SANJAY PURI)
MEMBER (TECHNICAL)

pavani

-sd-

(RAJEEV BHARDWAJ)
MEMBER (JUDICIAL)