



IN THE NATIONAL COMPANY LAW TRIBUNAL, MUMBAI
COURT - IV

Company Appeal No. 43/MB/2026

*[Under Section 252(3) of Companies Act,
2013]*

In the matter of:

Murlidharan Kunni Raman

Member and Director of Seasons
Warehousing Private Limited

...Applicant

V/s.

Registrar of Companies, Mumbai

...Respondent

Pronounced: 17.08.2026

CORAM:

ANIL RAJ CHELLAN
HON'BLE MEMBER (TECHNICAL)

K. R. SAJI KUMAR
HON'BLE MEMBER (JUDICIAL)

Appearances : **Hybrid**

For the Applicant : Adv. Avinash R Khanolkar a/w Adv.
Maheshkumar T. Nulolu.

For the Respondent : Ms. V. Madhumita, AROC, Mumbai.

ORDER

1. The present Company Appeal (Application) has been filed under Section 252(3) of the Companies Act, 2013 (Act) by Mr. Murlidharan Kunni Raman, member and



director (Applicant) of Seasons Warehousing Private Limited (Company), seeking restoration of its name in the Register of Companies, maintained by the Registrar of Companies, Mumbai, (RoC) i.e., the Respondent herein.

2. The records reflect that the Company was incorporated on 19.07.1996, under the erstwhile Companies Act, 1956, and had been engaged in warehousing, storers of personal property, and related business activities. On 12.12.1999, the present management of the Company, under the control of the Applicant being its director, acquired the Company from its erstwhile promoters/owners along with its existing assets, including the immovable property situated at Turbhe MIDC, which was later sold off.
3. It is stated that the RoC issued notice in Form STK-7 dated 28.07.2017, and the Company's name was struck off from the Register of Companies on the grounds of non-filing of returns. The Company has stated that due to lack of professional guidance, the Company failed to comply with statutory filing requirement. It is stated that no proper notice was received due to non-operational registered office, and thus the Company could not respond to the proceedings, and that the non-compliance was neither wilful nor deliberate, and the Applicant undertakes to complete all pending statutory filings upon restoration.
4. The Company, as on the date of this Company Appeal, has a sole director, viz., Mr. Murlidhar Kunni Raman, evidenced by Form No. 32 filed under Companies Act, 1956, recording particulars of appointment of directors and manager and changes among them. The Company has further placed the copies of share certificates depicting shareholding of the Applicant by Additional Affidavit dated 08.07.2026.
5. It is seen that the RoC had issued a Public Notice in Form STK-5, *vide* No. ROC/STK/6 dated 15.05.2017, in terms of Section 248(1) of the Act. Further, the RoC published the Notice of Striking off and Dissolution in Form STK-7, *vide* No. ROC-MUM/section 248/2017/ STK-7/5 dated 28.07.2017, under Section 248(5) of the Act. The Company has reiterated that it was not aware of the Public Notice, and that the same was inadvertently missed by the Company.



6. The Company has therefore prayed for relief under Section 252 of the Act, for restoration of its name in the records of RoC, Mumbai, and for necessary directions for the Respondent to place the name of the Company in the same position as if its name had not been struck off.
7. The Company has undertaken that the said restoration, if granted, would not adversely affect any stakeholders and there would be no loss to anyone, and the Company would be able to continue its business. Further, it is stated that the Company intends to complete all pending compliances, in accordance with the law upon revival of its name in the Register of Companies maintained by the RoC.
8. The Respondent, viz., RoC (Mumbai), has filed the Report dated 08.06.2026, raising several objections to the locus and contents of the present Company Appeal. The RoC has stated the Company was required to file its statutory filings such as Annual Return and Financial Statements within the prescribed time under Section 92 and Section 137 of the Act, which have not been filed since incorporation. It is further stated that the Company has not provided evidence such as IT/GST Returns, Audited Financial Statements, etc., as proof demonstrating that the Company was carrying on business or was in operation, neither at the time of striking off nor as on date as contemplated under section 252(3) of the Act. The RoC further has raised an objection qua acquisition of an immovable property by the Company in the year 2015, thereby stating that mere possession of assets is not a ground of revival.
9. In response to the objections advanced by the RoC via its Report, the Company has filed an Additional Affidavit dated 08.07.2026, reflecting two Share Purchase Agreements, both dated 12.12.1999, thereby evidencing shareholding of the Appellant, along with a Duplicate Share Certificate pursuant to the Board Resolution dated 12.05.2010. The Appellant thus states that he is a shareholder of the Company, and is therefore, entitled to maintain the present Company Appeal.
10. The Applicant therefore prays for restoration of Company's name in the Register



of Companies maintained by RoC Mumbai, and to restore its status from 'struck off' to 'active'.

11. We have heard the Ld. Counsel appearing for the Applicant Company, and have duly perused the material on record.
12. The present Company Appeal has been filed by Mr. Murlidhar Kunni Raman, in his capacity as a shareholder (member) and director of the Company. The documentary proof evincing the shareholding of the Applicant, and the requisite Form No. 32 filed under the Companies Act, 1956, recording particulars of appointment of directors and manager and changes among them, are duly placed on record.
13. It is evident that the RoC issued public notice in Form STK-5 on 15.05.2017 under Section 248(1) of the Act, and a public notice in Form STK-7 dated 28.07.2017 under Section 248(5) of the Act, and the Company's name was struck off from the Register of Companies on the grounds of not commencing of business within one year of its incorporation. It is the Appellant's contention that the statutory returns/necessary compliances could not be completed or filed due to lack of professional guidance and non-operational registered office, which led to the Company being struck off.
14. We note that the Company possesses an immovable property in the nature of an Office Space, which has been leased out, and the Company has been deriving rental income therefrom. The Company also wishes to avail the benefit of the 'Companies Compliance Facilitation Scheme, 2026' floated by the Ministry of Corporate Affairs, Government of India, bearing F.NO. Policy-02/2/2020-CL-V-MCA dated 08.07.2026, so as to regularise its default and complete pending compliances.
15. We, therefore, of the view that in the present facts and circumstances, it would be just and proper for the name of the Company to be restored to the Register of Companies maintained by the Respondent RoC in consonance with Section 252(3) of the Act, subject to certain directions stipulated hereinafter.



We, accordingly, pass the following Order:

ORDER

- a) The RoC, Mumbai, is ordered to restore the original status of the Company (Seasons Warehousing Private Limited) as if the name of the Company had not been struck off from the Register of Companies, with resultant and consequential action like changing the status of the Company from 'strike off' to 'active'.
 - b) The Company shall within a period of 30 days from the restoration of the Company's name in the Register being maintained by the RoC, file annual returns and balance sheets and all other statutory documents as are required to be made/filed under the Companies Act, 2013, for the period from which there has been default with requisite charges/fees as well as additional fee/late charges, as applicable.
 - c) The restoration of the Company's name is also subject to payment of the cost of Rs. 50,000/- (Fifty Thousand Rupees). The imposed cost shall be paid by way of a Demand Draft drawn in favour of the "Pay and Account Office, Ministry of Corporate Affairs, Mumbai" within 30 days from the date of receipt of this order.
 - d) The order of restoration of the name of the Company in the Register shall not automatically entitle the directors of the Company to hold directorship if disqualified under Section 164 of the Companies Act, 2013, except in accordance with law.
 - e) This order allowing the Appeal shall not circumscribe the power of the Respondent (RoC) to proceed against the Company and its directors as mandated for alleged late filing of any returns, forms, documents, and such other compliance under the provisions of the Companies Act, 2013.
- 18. Accordingly, this Appeal bearing Company Appeal No. 43/MB/2026 is allowed and disposed of** in terms of the above directions.



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- 19.** The Registry is directed to send copies of the order to all the parties concerned forthwith, i.e., the Company having its registered address at 3, Vande Mataram, 2nd Floor, Plot 424, Mumbai, Maharashtra - 400071, and the Registrar of Companies (Mumbai).

Sd/-

ANIL RAJ CHELLAN
MEMBER (TECHNICAL)

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Sd/-

K. R. SAJI KUMAR
MEMBER (JUDICIAL)