



**GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS**

ROC Ahmedabad

Registrar Of Companies, ROC Bhavan , Opp Rupal Park Society, Behind Ankur Bus Stop, Naranpura, Ahmedabad, Gujarat,
India, 380013

Phone: 079-27438531

E-mail: roc.ahmedabad@mca.gov.in

Order ID: PO/ADJ/06-2025/AD/00441

Dated: 24/06/2025

ORDER FOR ADJUDICATION OF PENALTY UNDER SECTION 454 OF THE COMPANIES ACT, 2013 ('THE ACT') FOR VIOLATION OF SECTION 117(2) OF THE COMPANIES ACT, 2013.

A. Appointment of Adjudicating Officer:

Ministry of Corporate Affairs vide its Gazette notification number S.O. 831(E) dated 24/03/2015 appointed undersigned as Adjudicating Officer in exercise of the powers conferred by section 454 of the Companies Act, 2013 [herein after known as Act] read with Companies (Adjudication of Penalties) Rules, 2014 for adjudging penalties under the provisions of this Act..

B. Individual details:

In the matter relating to DHARMESH RAMESHCHANDRA GATHANI [herein after known as individual] having DIN 01597045 and having its address at SUR NO. 154/1, BESIDES SHAISHYA, ARYAVRAT IV LANE SUR NO. 154/1, BESIDES SHAISHYA, ARYAVRAT IV LANE AHMEDABAD Gujarat India

In the matter relating to PARAG RAMESHBHAI GATHANI [herein after known as individual] having DIN 01598663 and having its address at SUR. NO. 154/1, BESIDES SHAISHYA, NR. ARYAVRAT IV LANE MAKARBA SUR. NO. 154/1, BESIDES SHAISHYA, NR. ARYAVRAT IV LANE MAKARBA AHMEDABAD Gujarat India

In the matter relating to SHRIRANG SHAUNAKKUMAR BHATT [herein after known as individual] having DIN 01775957 and having its address at C/47 , ANUPAM SOCIETY, JODHPUR ROAD, SATELITE ROAD C/47 , ANUPAM SOCIETY, JODHPUR ROAD, SATELITE ROAD AHMEDABAD Gujarat India

In the matter relating to DHIREN VINODCHANDRA SHAH [herein after known as individual] having DIN 02378727 and having its address at 4 BANK OF BARODA STAFF SOC.OPP. NEW VADAJ POLICE CHOKY 4 BANK OF BARODA STAFF SOC.OPP. NEW VADAJ POLICE CHOKY AHMEDABAD Gujarat India

In the matter relating to DILIPBHAI CHINUBHAI SHAH [herein after known as individual] having DIN 08089704 and having its address at B-401, SIDDHRAJ APPARTMENT, OPP. ARYVRAT BUNGLOWSNR. PRERNATIRTH JAIN TAMPLE, B-401, SIDDHRAJ APPARTMENT, OPP. ARYVRAT BUNGLOWSNR. PRERNATIRTH JAIN TAMPLE, AHMEDABAD Gujarat India

C. Provisions of the Act: (2) If any company fails to file the resolution or the agreement under sub-section (1) before the expiry of the period specified therein, such company shall be liable to a penalty of ten thousand rupees and in case of continuing failure, with a further penalty of one hundred rupees for each day after the first during which such failure continues, subject to a maximum of two lakh rupees and every officer of the company who is in default including liquidator of the company, if any, shall be liable to a penalty of ten thousand rupees and in case of continuing failure, with a further penalty of one hundred rupees for each day after the first during which such failure continues, subject to a maximum of fifty thousand rupees.

D. Facts about the case:

1. Default committed by the officers in default/noticee - During the course of inspection, Inspecting Officer reported to the Directorate in its report that it is observed that at the first meeting of the Board of Directors of FY 2014-15 dated 01.06.2014, the approval of exercising borrowing power and resolution to make investment u/s 186 are approved by the Board but still not filed MGT-14 with this office in accordance with the provisions of Section 117(2) r.w. Sec. 179 of the Companies Act, 2013. Hence, the Company has violated the provisions of Section 117(2) of the Companies Act, 2013 r.w. Section 179 of the Companies Act, 2013. The Regional Director, NWR vide letter dated 16.09.2023 issued directions to take action for violation of Section 117(2) r.w. Section 179 of the Companies Act, 2013. The undersigned has reasonable cause to believe that the aforesaid provisions of the Act have not been complied with and accordingly company and Officers at the relevant period are liable to penalize u/s 117(2) of the Companies Act, 2013.

2. The Authorised representative of the company was given an opportunity to make representation as per the request of the stake holder. Order is being issued based on the inwarded written submission and oral representation on the date of e-hearing. The company in its reply submitted that MR. DHARMESH RAMESHCHANDRA GATHANI having DIN as 01597045, Mr. Dhiren Shah, Mr. Dilip Bhai Shah and Shrirang Bhatt were not director during the financial year 2014-15 which is period under consideration of e-Adjudication Notice. On perusal of reply as well as written submissions and oral submission of the Authorised Representative of the Company and also relying on the IO report, Mr. PARAG RAMESHBHAI GATHANI and MR. SHRIRANG SHAUNAKKUMAR BHATT were reported as officers in default for the relevant period. Thus both the officers are liable to be penalized. Hence, a penalty of Rs. 2,00,000 on company and Rs. 50,000 each on Mr. Parag Gathani and SHRIRANG SHAUNAKKUMAR BHATT is imposed.

E. Order:

1. On perusal of reply as well as written submissions and oral submission of the Authorised Representative of the Company and also relying on the IO report, Mr. PARAG RAMESHBHAI GATHANI and MR. SHRIRANG SHAUNAKKUMAR BHATT were reported as officers in default for the relevant period. Thus both the officers are liable to be penalized. Hence, a penalty of Rs. 2,00,000 on company and Rs. 50,000 each on Mr. Parag Gathani and SHRIRANG SHAUNAKKUMAR BHATT is imposed.

2. The details of penalty imposed on the company, officers in default and others are shown in the table below:

(A)	Name of person on whom penalty imposed (B)	Rectification of Default required (C)	Penalty Amount (D)	Additional Penalty (E) (*Per day of continuing default i.e. date of rectification of default less order issue date)	Maximum limit for Penalty (F)
1	HARSH GATHANI ENTERPRISE PRIVATE LIMITED having CIN as U74120GJ2010P TC061063		200000	0	200000
2	DHARMESH RAMESHCHANDRA GATHANI having DIN as 01597045		0	0	50000
3	PARAG RAMESHBHAI GATHANI having DIN as 01598663		50000	0	50000
4	SHRIRANG SHAUNAKKUMAR BHATT having DIN as 01775957		50000	0	50000
5	DHIREN VINODCHANDRA SHAH having DIN as 02378727		0	0	50000
6	DILIPBHAI CHINUBHAI SHAH having DIN as 08089704		0	0	50000

3. The notified officers in default/noticee shall rectify the default mentioned above and pay the penalty, so applicable within 90 days of receipt of the order.

4. The notified officers in default/noticee shall pay the penalty amount via 'e-Adjudication' facility which can be accessed through the respective login IDs on the website of Ministry of Corporate Affairs and upload the copy of paid challan / SRN of e-filing (if applicable) on the 'e-Adjudication' portal itself. It is also directed that the penalty so imposed upon the officers in default shall be paid from their personal sources/income.

5. Appeal against this order may be filed in writing with the Regional Director, RD Ahmedabad within a period of sixty days from the date of receipt of this order, in Form ADJ setting for the grounds of appeal and shall be accompanied by a certified copy of this order [Section 454 (5) & 454 (6) of the Act, read with Companies (Adjudication of Penalties) Rules, 2014].

6. For penal consequences of non-payment of penalty within the prescribed time limit, please refer Section 454(8) of the Companies Act, 2013.



Keerthi Narayana,
Registrar of Companies
ROC Ahmedabad

To,

1. HARSH GATHANI ENTERPRISE PRIVATE LIMITED, 504, Earth Arise, Nr. Y.M.C.A. Club, S. G. Highway, Vejalpur, 504, Earth Arise, Nr. Y.M.C.A. Club, S. G. Highway, Vejalpur, Ahmedabad Ahmedabad Gujarat India , gg4compliance@gmail.com

2. DHARMESH RAMESHCHANDRA GATHANI, SUR NO. 154/1, BESIDES SHAISHYA, ARYAVRAT IV LANE SUR NO. 154/1, BESIDES SHAISHYA, ARYAVRAT IV LANE AHMEDABAD Gujarat India , dharmesh@harshnirman.com

3. PARAG RAMESHBHAI GATHANI, SUR. NO. 154/1, BESIDES SHAISHYA, NR. ARYAVRAT IV LANE MAKARBA SUR. NO. 154/1, BESIDES SHAISHYA, NR. ARYAVRAT IV LANE MAKARBA AHMEDABAD Gujarat India , parag@groupgathani.com

4. SHRIRANG SHAUNAKKUMAR BHATT, C/47 , ANUPAM SOCIETY, JODHPUR ROAD, SATELITE ROAD C/47 , ANUPAM SOCIETY, JODHPUR ROAD, SATELITE ROAD AHMEDABAD Gujarat India , shrirang.bhatt@gmail.com

5. DHIREN VINODCHANDRA SHAH, 4 BANK OF BARODA STAFF SOC.OPP. NEW VADAJ POLICE CHOKY 4 BANK OF BARODA STAFF SOC.OPP. NEW VADAJ POLICE CHOKY AHMEDABAD Gujarat India , dhiren@groupgathani.com

6. DILIPBHAI CHINUBHAI SHAH, B-401, SIDDHRAJ APPARTMENT, OPP. ARYVRAT BUNGLOWSNR. PRERNATIRTH JAIN TAMPLE, B-401, SIDDHRAJ APPARTMENT, OPP. ARYVRAT BUNGLOWSNR. PRERNATIRTH JAIN TAMPLE, AHMEDABAD Gujarat India , dilips@groupgathani.com