

(4)

**F. No:9/20/ADJ/SEC.203 of 2013/ROC(TG)/RD(SER)/2024**  
**BEFORE THE REGIONAL DIRECTOR, SOUTH EAST REGION**  
**MINISTRY OF CORPORATE AFFAIRS, HYDERABAD**  
**IN THE MATTER OF COMPANIES ACT, 2013 /125**

**IN THE MATTER OF SUTARA ROADS & INFRA LIMITED**

1. M/s. SUTARA ROADS & INFRA LIMITED  
156-159 Paigah House, Sardar Patel Road,  
Hyderabad, Secunderabad,  
Telangana, India, 500003.
2. Mr. Audisesha Reddy Putchalapalli, Director  
Flat No.306, Vishnu Elite Apartments,  
Gurumurthy Road, Beside Reebook Showroom,  
Begumpet, Hyderabad-500016, India.
3. Mr. Ilyas Ghulam Hussain Ghouse, Director  
Flat No.4-E, Mayfair Apartments, Road No.2,  
Banjara Hills, Hyderabad-500034, India.
4. Shri Mazharul Haq Syed, Director  
Plot No.1207, Road No.60,  
Jubilee Hills, Hyderabad-500034



..... Appellants

Date of hearing: 11.02.2025  
 Present: Mr. T. Ravi Prakash, PCS

**ORDER**

1. M/s. Sutara Roads & Infra Limited and Shri Audisesha Reddy Putchalapalli, Director, Shri Ilyas Ghulam Hussain Ghouse, Director, Shri Mazharul Haq Syed, Director has filed an appeal under section 454(5) of the Companies Act, 2013 by the above appellants in e-form ADJ vide SRN F92763945 dated 27.02.2024 against the adjudication order issued in F No. ROC(H)/AML MPL/ADJ-ORDER-4/099082/2024 dated 20.02.2024 under section 454 read with section 203 (5) of the Companies Act, 2013 passed by the Registrar of Companies, Telangana for default in compliance with the requirements of Section 203 (1) read



with Rule 8A of the Companies (Appointment and Remuneration of Managerial Personnel) Rules, 2014.

2. Registrar of Companies in his order of adjudication has stated that "Having considered the facts and circumstance of the case and after taking into account the factors and submissions made in the application and by the Authorized Representative during the hearing on 22.02.2024 and adjourned hearing on 21.03.2024 and the facts of the case it is proved beyond doubt that the company and the officer of the company have defaulted in complying the provisions under Section 203 (1) of the Act and made the offence good on 22th November 2021 with a delay of 421 days. In this regard, the company, and its officer in default (within the meaning of Section 2 (60) of the Companies Act, 2013). I hereby impose penalty as under,

Nature of default	Name of the Company	Penalty as per Act.			Penalty Imposed
		On default	On Continuous Default	Total Penalty	
Violation of Section 203 (1) of the Companies Act, 2013 r.w Rule 8 of Companies (Appointment and Remuneration of Managerial Personnel) Rules 2014	SUTARA ROADS & INFRA LIMITED	Rs. 5,00,000/-	487 Days*1000 = Rs. 4,87,000/-	Rs. 9,87,000/-	Rs. 9,87,000/-





Officer in Default	Penalty as per Act.			Penalty Imposed
	On default	On Continuous Default	Total Penalty	
Shri. Audishesha Reddy Putchalapalli (Director)	Rs. 50,000/-	487 Days*1000= Rs. 4,87,000/-	Rs. 5,37,000/-	Rs. 5,37,000/-
Shri. Mazharul Haq Syed (Director)	Rs. 50,000/-	487 Days*1000= Rs. 4,87,000/-	Rs. 5,37,000/-	Rs. 5,37,000/-
Shri. Ilyas Ghulam Hussain Ghouse (Director)	Rs. 50,000/-	487 Days*1000= Rs. 4,87,000/-	Rs. 5,37,000/-	Rs. 5,37,000/-

3. A hearing was fixed on 11.02.2025 before the Regional Director (SER), Hyderabad and Mr. T. Ravi Prakash, PCS, Authorized Representative of the Company attended the hearing.
4. The company has violated the provisions of Section 203(1) of Companies Act, 2013 r/w Rule 8 of the Companies (Appointment & Remuneration of Managerial Personnel) Rules, 2014 regarding non-appointment of Chief Financial Officer for the period 15.08.2022 to 20.12.2023.
5. Heard the appellant. It is observed that the ROC has imposed a penalty of Rs.9,87,000/- on the company and Rs.5,37,000/- on each director. whereas section 203(5) limits the penalty for the violation of the section to a minimum of Rs. 5,00,000/-
6. As per the understanding of the undersigned the RD can modify or set-aside the order of the Adjudicating Officer in appeal if there is any legal, procedural as technical infirmity in the order of Adjudicating officer and Regional Director cannot reduce the penalty below the maximum specified in the section for any other reason.



7. Hence, as the ROC has erred in fixing a penalty of Rs.9,87,000/- for company and Rs.5,37,000/- on each director. where the maximum penalty is fixed at Rs.5,00,000/-, therefore, the order of the ROC is modified to this extent and a penalty of Rs.5,00,000/- is hereby levied on the company and each director.

Issued on this 4<sup>th</sup> day of April, 2025.

*Richa Kukreja*

ऋचा कुकरेजा/ **RICHA KUKREJA**  
क्षेत्रीय निदेशक (एस.ई.आर.)/  
**REGIONAL DIRECTOR(S.E.R.)**  
हैदराबाद /HYDERABAD

Copy for information and necessary action to :

1. Registrar of Companies, Ministry of Corporate Affairs,

*Hyderabad, Telangana.*

- ✓ 2. The Joint Secretary, E-Governance Cell,  
Ministry of Corporate Affairs, New Delhi.



*Richa Kukreja*

ऋचा कुकरेजा/ **RICHA KUKREJA**  
क्षेत्रीय निदेशक (एस.ई.आर.)/  
**REGIONAL DIRECTOR(S.E.R.)**  
हैदराबाद /HYDERABAD