

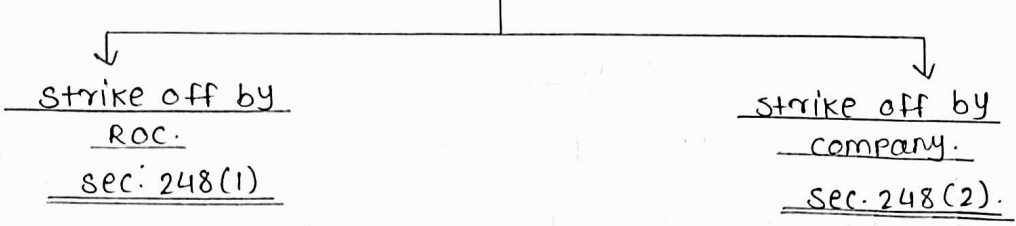
ch-11 strike off and Restoration of the name of the co. & LLP.

synopsis.

- striking off by ROC suo moto. (248(1)) - Grounds
- Procedure to be followed by ROC to striking off name
- striking off name of the company on appⁿ by co. (248(2))
- Restoration of company
- Types of co. which can not be removed.
- Activities not allowed in P-3yrs for striking off.
- striking of LLP by ROC
- striking of LLP on appⁿ by LLP
- Restoration of LLP.

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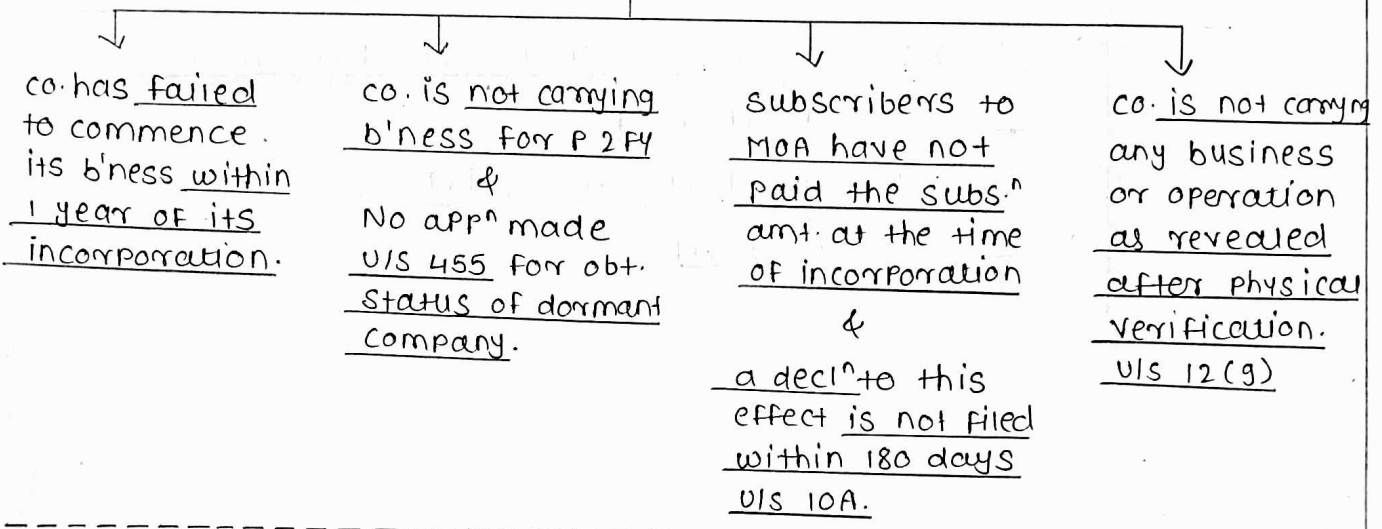
ways of striking off of companies



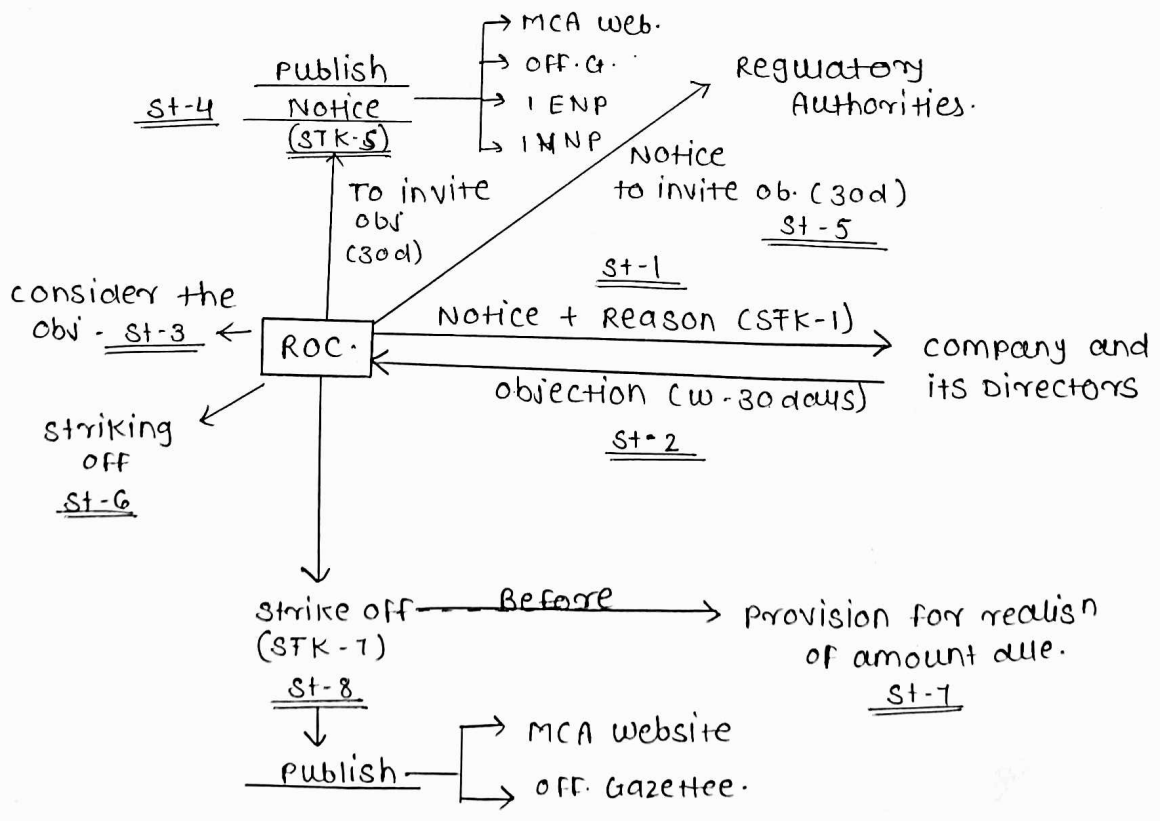
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Strike off by ROC - suo moto

Registrar has reasonable cause to believe that

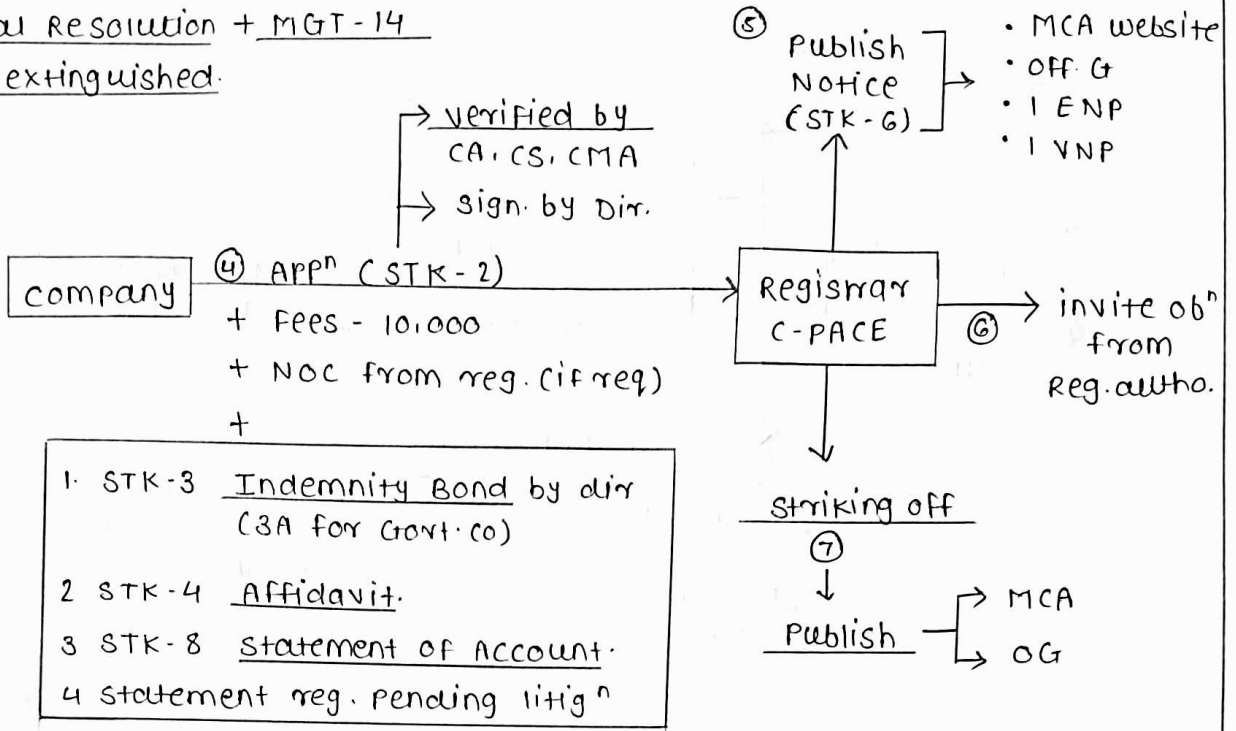


Procedure to be followed by ROC for striking off the name of the co.

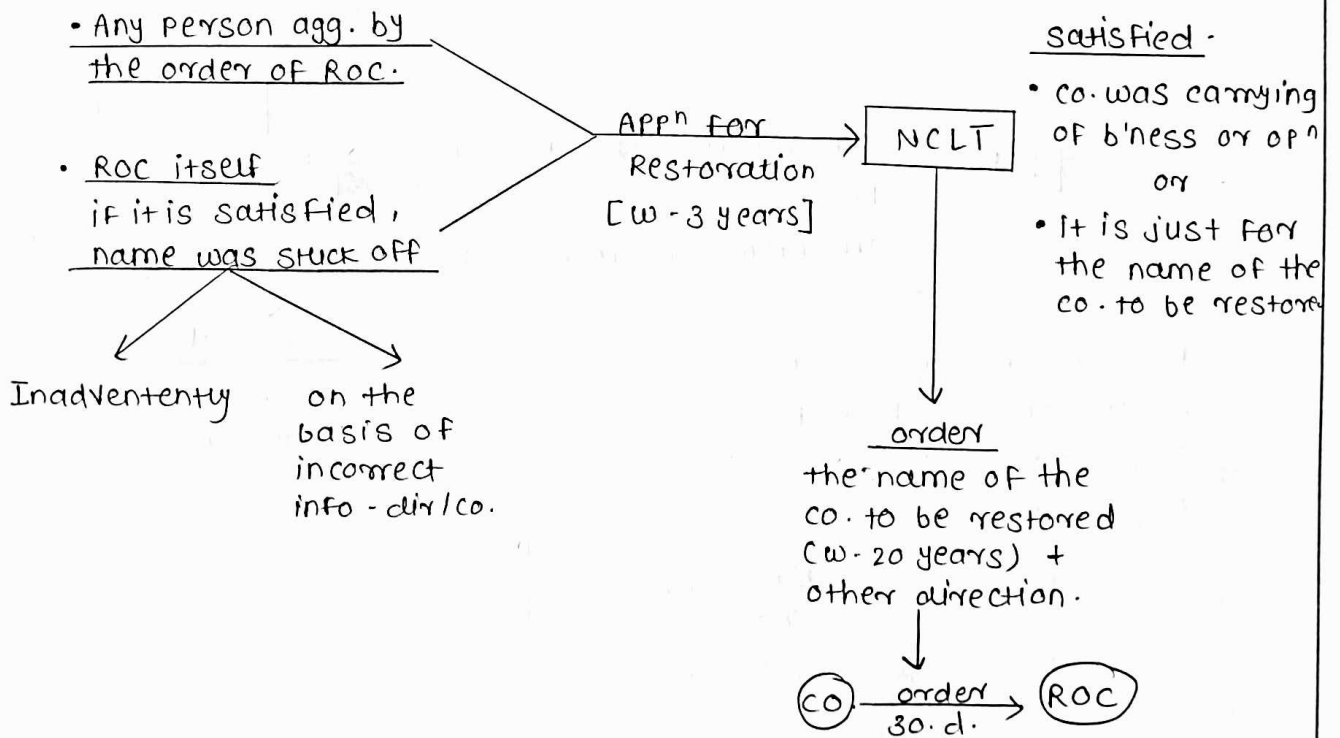


Striking off
Removed of Name of the co. on appⁿ by company - [248(2)]

- ① Board Resolution
- ② Special Resolution + MGT-14
- ③ Liab. extinguished.



⇒ Restoration of the company.



⇒ Types of companies which can not be removed under these provisions.

viz [Sec. 248(1) & 248(2)]

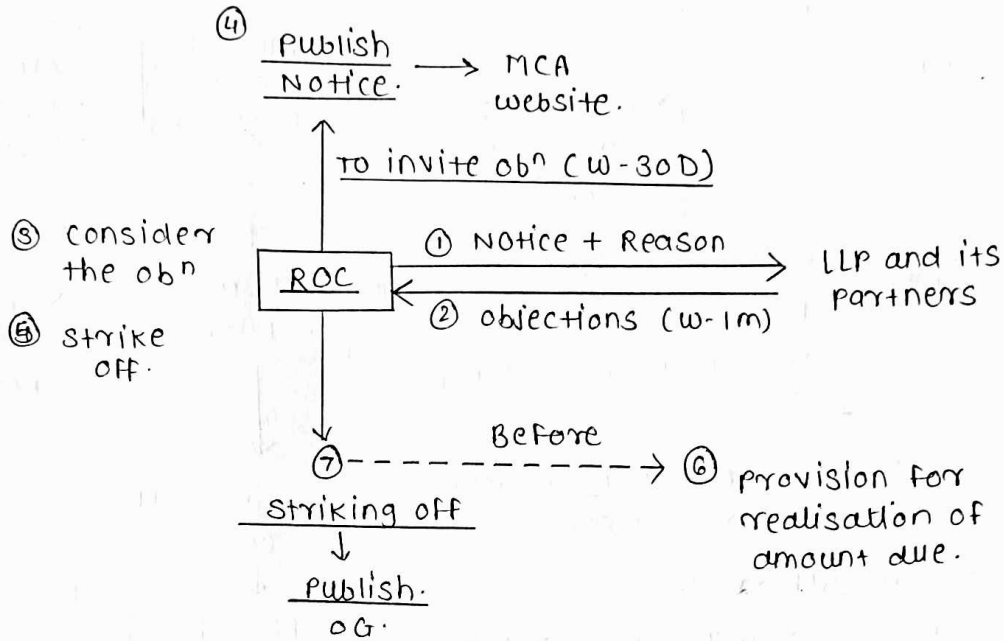
- Listed companies.
- companies Reg. under section 8
- companies having charges which is pending for satisfaction.
- companies against which any prosecution of an offence is pending in any court.
- vanishing companies.
- companies which are accepted public deposits which are either outstanding or the co. is in default in repayment of the same.

⇒ The co. shall not make any application for the strike off of the name of the co. if at any time in the pr. 3 months co. has done any of the below activities :-

- Has change its name.
- Has shifted its reg. office from one state to another
- Has made an application to the tribunal for the sanctioning of the a scheme of compro. or arr. and the matter has not been finally concluded.
- is being wound up under ch. XX of the companies Act
- Has made a disposal for the value of property or right held by it, imm. before cesser of trade or otherwise carrying on of b'ness.

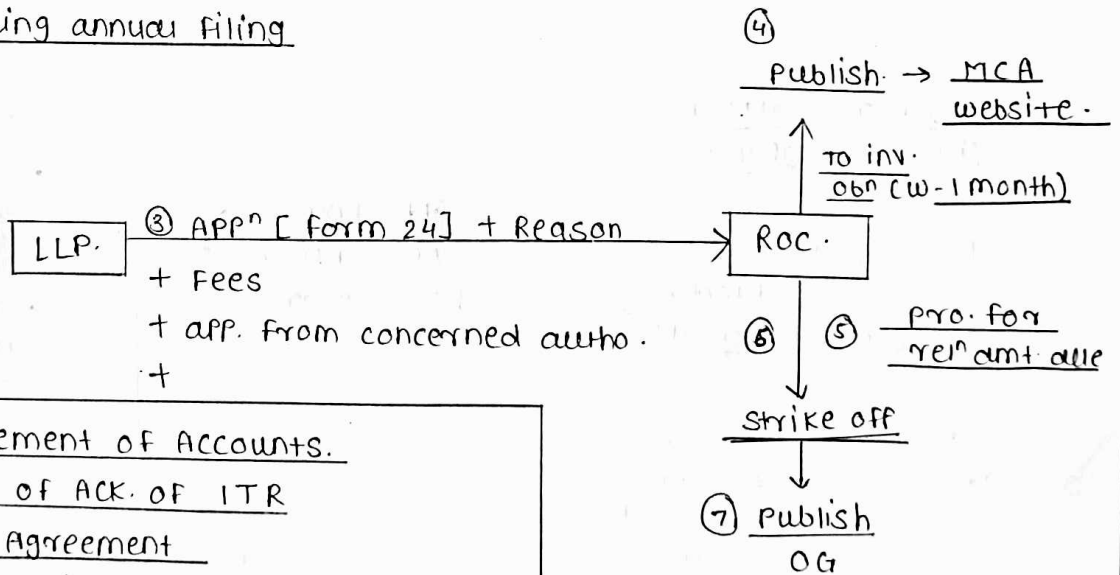
LLP

⇒ Striking off name of LLP by ROC.



⇒ Striking off name of LLP on application by LLP.

- ① consent of all Partners
- ② No pending annual filing



- 1. Statement of Accounts.
 - 2. copy of ACK. OF ITR
 - 3. LLP Agreement
 - 4. Affidavit.
 - Not comm. b'ness or ceased to carry out b'ness.
 - No Liabilities / agree to indemnity.
 - No bank A/c / closed bank a/c
 - Not filed ITR