



SECURITIES & EXCHANGE COMMISSION OF PAKISTAN
(COMPANY REGISTRATION OFFICE)

4th Floor State Life Building No.2, Wallace Road, Karachi.

Website: www.secp.gov.pk

CASE No. 1075/2022

BEFORE THE ADJUDICATING OFFICER

ORDER UNDER SECTION 21 READ WITH SECTION 479 OF THE COMPANIES ACT, 2017

IN THE MATTER OF **MESSRS. R.M. GULISTAN ENGINEERS & CONTRACTORS
(PRIVATE) LIMITED**

Present: None present for hearing nor any written response received from the company or its management.

Date of Final Hearing: 28-10-2022

1. This Order shall dispose of the proceedings initiated under Section 21 of the Companies Act, 2017 ("The Act"), vide Show Cause Notice dated 29-Sep-22 ("the Notice").
2. The facts of the case are that Off-site Department I, supervision Division of Security & Exchange Commission of Pakistan serviced a letter Ref. SD/OS-1/184/16/MISC/2022-225 dated 31 August, 2022, through TCS to the company at its registered office address. However, it was returned undelivered. Therefore, it was referred to Company Registration Office Karachi to arrange delivery through dispatch rider but the dispatch rider reported that no office existed at the given address.
3. The aforesaid facts depicts that the company, prima facie, either failed to have its registered office address or failed to give notice of change of registered office address to the registrar, as the case may be, in violation of the Sub-Section (1) or Subsection (2) of Section 21 of the Companies Act, 2017 (the "Act"), which provides that a company shall have a registered office to which all communications and notices shall be addressed and the company shall give notice to the Registrar for change of registered office addresses in the manner provided therein, respectively.
4. The aforesaid violation attracts the penal provisions of sub-section-3 of section-21 of the Act which provides that any violation of Section-21 (1) or (2) shall be an offense liable to a penalty of Level-1 of the standard scale, i-e up-to Rs.25,000/- and upto Rs.500/- per day during which default continues, as provided u/s 479(2) of the Act. Accordingly, taking cognizance of the matter, a Show Cause Notice dated 29-09-22 was served to the company through its Chief Executive as well as the directors of the company, calling upon them to Show Cause in my office on 11-10-2022 subsequently adjourned to 20-10-2022 and 28-10-2022, as to why the penalty laid down under the above mentioned section should not be imposed.

5. However, in response to the above-mentioned show cause notice, neither anyone appeared before the undersigned for personal hearing nor any written reply was received from the subject company and any of its director/CEO. In order to provide further opportunity of being heard and to meet the end of justice, two reminders / re-scheduled notices were also served upon the company and the directors/CEO. Yet, no response in any manner received from or on behalf of the company or its management, the undersigned is left with no choice but to take an ex-parte decision on the basis of the record maintained by the company registration office (CRO-Karachi) as required under the "Act". Henceforth, I hereby impose the penalty as under:

<u>MESSRS. R.M. GULISTAN ENGINEERS & CONTRACTORS</u>	Rs. 25,000/-
<u>(PRIVATE) LIMITED</u>	
MR. MUHAMMAD TARIQ - CEO	Rs. 5,000/-
MR. FAZAL MEHMOOD - DIRECTOR	Rs. 5,000/-
MR. RAJA MUHAMMAD FAHAD - DIRECTOR	Rs. 5,000/-
MR. JHANGHIR KHAN – DIRECTOR	Rs. 5,000/-
TOTAL	<u>Rs. 45,000/-</u>

6. The management of the company is advised to deposit the afore mentioned penalty amount within 15 days from the date of receipt of this order in any designated branches of MCB Bank Limited or UBL Bank and furnish original receipted challan to this office within the above said period and also directed to have a register office address immediately but not later than 30 days from the date of receipt of this order positively under intimation to the concerned/dealing registrar.
7. A copy of this order be placed on the record/file of the company for future reference and further appropriate action to be taken by the concerned registrar, if any.



(ZIA UL RASHEED ABBASI)
ADJUDICATING OFFICER /
ADDITIONAL REGISTRAR

Dated: 28-10-2022