Practical Experience, Challenges & Learnings from Company & LLP Strike Off Process

Presented by:

CS Ashwini Hegde & Trupti Hegde

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Overview of STK-2

E-form for **voluntary strike-off** of a company's name under **Section 248(2)** of the Companies Act, 2013.

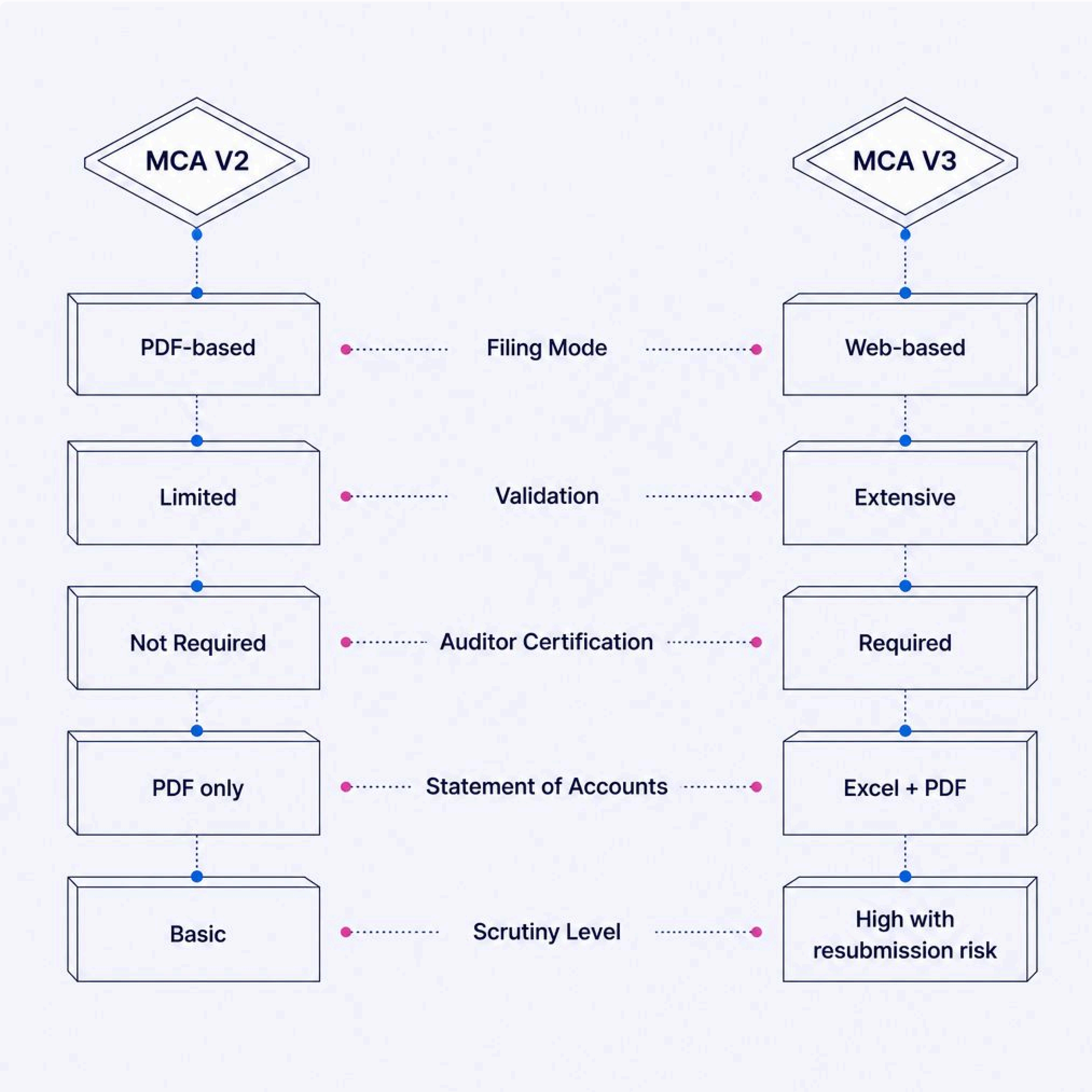
When is it used?

1. Not Carrying Business
2. Nil Assets & Liabilities
3. Promoters/shareholders intend to close operations
4. Objective No Longer Relevant

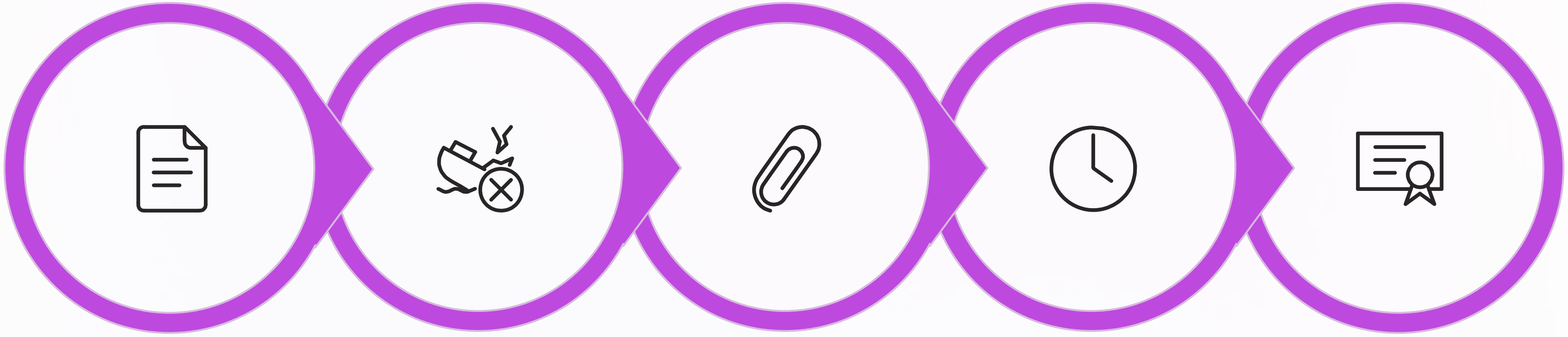
Key Pre-Requisites

1. Clear All Liabilities
2. Close All Bank Accounts
3. Complete Pending Filings
4. Nil Assets & Liabilities
5. Board Resolution
6. Shareholders' Resolution
7. File MGT-14
8. Form STK-2

MCA V2 vs MCA V3 — What Changed?



Practical Impact



Increased Documentation

Validation Errors

Scrutiny on Attachments

Resubmission & Delays

Mandatory Auditor Certification

Mandatory Attachments

Form STK-3

Indemnity Bond

Form STK-4

Affidavit

Form STK-8

Statement of Accounts

Board Resolution

Authorising strike-off and filing

Shareholders' Resolution

Special Resolution from EGM

Other Attachments

General Meeting Notice

Holding Company CTC

Shorter Notice Consents

Bank Account Closure Letter

Director Declaration

Director KYC Documents

Company PAN Copy

Form MGT-14 Acknowledgement

CA Certificate

For foreign holding structures, ensure all resolutions are **notarised and apostilled** before submission.

Practical Challenges Faced

MCA Portal Glitches

Repeated technical errors cause attachments to disappear, requiring form regeneration.

DSC Requirements

Every revised filing requires DSC from the Director, CA, and CS — coordinating for multiple DSCs delays resubmissions.

Resubmission Complexities

Different observations arise with each resubmission. Short response timelines and repeated Statement of Accounts requirements.

LLP Strike-Off — Form 24

Voluntary strike-off under **Section 75, LLP Act 2008**.

Additional documents required:

Last Income Tax filing acknowledgement

Confirms the most recent tax filing has been acknowledged by the authorities.

Last filed Form 8 & Form 11

Shows the LLP's latest statutory filings are complete and on record.

Declaration from Designated Partners (NIL creditors) or NOC from creditors

Confirms there are no outstanding liabilities, or that creditors have no objection to the strike-off.

Initial LLP Agreement or supplementary agreement confirming no changes

Verifies the original agreement remains unchanged, or that any amendments are duly documented.

Lessons Learned and Best Practices

Before Filing

· Prepare affidavits and indemnity bonds in advance

· Verify all bank accounts are formally closed

· Obtain complete KYC documents of directors

· Ensure annual filings are completed

For Foreign Holding Structures

· Obtain notarized and apostilled resolutions

During Processing

· Expect multiple resubmissions

· Keep CA and management teams informed

· Retain all supporting documents in one repository

Thank you!