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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 602/2015**

DINESH SHARMA & ANR.

..... Petitioners

Through: Mr. Pradeep Kumar, Advocate

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Dev P. Bhardwaj, CGSC with Ms.
Anubha Bhardwaj, Adv. for R-1

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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21.01.2015

CM No.1034/2015 (Exemption)

1. Allowed subject to just exceptions.

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2. The learned counsel for the petitioners confines his prayer to the consideration of representations made by the petitioners, which are dated, 10.02.2012, 26.03.2012, 08.05.2012, 09.12.2012, 22.03.2013, 09.08.2013 and 20.08.2013 for arriving at an One Time Settlement (OTS) with respondent nos.2 and 3.

2.1 It is averred that the petitioner no.2 company has in fact arrived at a settlement with HSIIDC. It is stated that an OTS proposal was approved on 11.01.2012 and pursuant to the same, petitioner no.2 company has paid its entire dues to HSIIDC.

2.2 It is also stated that an no due certificate has been issued in this behalf by HSIIDC.

2.3 The petitioners want somewhat similar treatment from respondent nos.2 and 3. The petitioners though candidly say that the deadline for the OTS scheme, which was circulated by respondent nos.2 and 3 vide communication dated 09.12.2011, expired on 31.12.2011.

2.4 Petitioner no.1 submits that delay in approaching respondent nos.2 and 3 was on account of the fact that his father, who hold 99% shares in petitioner no.2 company was ill and, was consequently, admitted to a hospital on 20.12.2011. It is stated that petitioner no.1's father, ultimately, succumbed to his illness on 29.01.2012.

3. Having regard to the above, for the moment, the writ petition is disposed of with a direction to respondent nos.2 and 3 to consider the aforementioned representations of petitioners. In case 19.12.2011 OTS scheme can be made applicable to the petitioners, the same be taken recourse to.

3.1 Respondent nos.2 and 3 will communicate their decision on the representations of the petitioners as expeditiously as possible.

4. The registry will dispatch a copy of this order to respondent nos. 2 and 3, without insistence on process fee.

RAJIV SHAKDHER, J

JANUARY 21, 2015

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