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

+ **W.P.(C) 1985/2016**

M/S SHALIMAR WIRES INDUSTRIES LTD. Petitioner

**Represented by: Ms.Maneesha Dhir, Advocate
with Mr.L.P.Dhir, Ms.Varsha
Banerjee, Ms.Divya Krishnan,
Advocates**

versus

**BOARD OF INDUSTRIAL AND FINANCIAL
RECONSTRUCTION AND ORS**

..... Respondents

**Represented by: Mr.Manish Mohan, Advocate
with Mr.Shivam, Ms.Priyansha
Sinha, Ms.Aanchal Athwani,
Ms.Manish aSaroha, Advocates
for R-1
Mr.Rajiv Kumar, Advocate for
R-2
Mr.Sanjay Bhatt, Advocate
with Mr.Abhishek Anand,
Advocate for R-3
Mr.Sandeep Gupta, Advocate
for R-4
Ms.Rama Ahluwalia, advocate
for R-6**

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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04.05.2016

1. Pursuant to a notification dated April 18, 2016 nomination has been made of a member to BIFR and the problem of lack of quorum has now been overcome for the reason prior thereto there was only one member left

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on BIFR.

2. Learned counsel for the petitioner states that when the writ petition was drafted it was on the assumption that nomination of the vacancy to BIFR had not been made but would hasten to add that both members of BIFR are holding additional charge and to the knowledge and information of the petitioner no sitting by the Board has taken place as yet.

3. Since two members have been nominated to BIFR and there is quorum available we decline to entertain the present petition which has been filed invoking extraordinary writ jurisdiction of this Court on the ground that statutory forum available is not sitting due to lack of quorum.

4. But, we simultaneously direct that BIFR should hold a meeting every day and at least for two hours. Such matters which require urgent consideration should be taken up by BIR.

5. Instant matter is of one such kind.

6. On an application filed by the petitioner in the Registry of BIFR, MA No.231/2015 in BIFR case No.117/2004. Along with the MDRS the pleadings made by the parties in the writ petition be placed on record for purpose of adjudication of the matter.

7. BIFR shall proceed to hear the matter and pass appropriate orders.

8. Copy of this order be supplied dasti under signatures of the Court Master to learned counsel for the petitioner.

9. No costs.

PRADEEP NANDRAJOG, J.

MUKTA GUPTA, J.

MAY 04, 2016/‘skb’