

\$~20

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

+ W.P.(C) 7883/2015 & CM Nos. 15874/2015, 27814/2016,
27815/2016, 27816/2016 & 27817/2016

ANUP AGARWAL

..... Petitioner

Through: Mr. A. Hassan and Mr. D.K. Jha, Advs.

versus

REGIONAL PROVIDENT FUND COMMISSIONER

& ORS

..... Respondents

Through: Mr. Keshav Mohan, Adv. for
respondents.

Mr. Kunal Sharma, Adv. for Official Liquidator
(Bombay).

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

%

17.08.2016

Learned counsel for the petitioner submits that this writ petition was erroneously filed because pursuant to the Official Liquidator (OL) having been appointed apropos M/s Sonal Garments (India) Pvt. Ltd., only the OL could take any steps regarding any rights of the said company.

Learned counsel for the respondents refers to the order of this court dated 30.09.2014 passed in WP(C) No. 1219/2014, which recorded as under:

“.....1. On similar issue and between the same parties, this court has dismissed the petition WP(C) No. 3391/2014 vide order dated 11.07.2014 on the ground of maintainability as under:

The petitioner here is a company in respect of which a winding up is stated to have been passed and the

Official Liquidator has been appointed. The petition is supported by persons who claim to be Ex-Directors of the company. Ex-facie this petition is not maintainable as the Ex-Directors have no authority to represent the company or institute any action on behalf of the company.

The petition is accordingly dismissed.

2. In view of the above, the present petition is accordingly dismissed.....”

In view of the above, the writ petition is dismissed as withdrawn.

NAJMI WAZIRI, J

AUGUST 17, 2016/kk