

\$~1.

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

+ **W.P.(C) 3737/2017**

KRISHNA FLOUR MILLS (BANGALORE) PVT LTD AND ANR.

..... Petitioners

Through: Ms. Purti Marwaha Gupta, Advocate
with Ms. Henna George and Mr. Arvind Kumar,
Advocates

versus

UNION OF INDIA

..... Respondent

Through: Ms. Poonam Kumari, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

%

11.05.2017

1. The limited relief prayed for by the petitioners is for directions to the Ministry of Finance, Union of India, the nodal Ministry of BIFR and AAIFR to provide certain documents that form a part of BIFR Case No.58/1992.
2. Counsel for the petitioners states that the scheme for rehabilitation of the petitioner No.1/company was sanctioned by the BIFR on 07.03.1994 and the company was revived and discharged from the purview of SICA, on 08.07.1996. Thereafter, some disputes have arisen between the shareholders of the petitioner No.1 and the matter is pending adjudication before the NCLT. It is in this background that certain documents that form a part of the records of BIFR Case No.58/1992 are required by the petitioner No.2 for the purpose of defending the pending litigation before the NCLT. However, the

application submitted by the petitioners to the respondent for obtaining certified copies of the said documents has been refused on 24.03.2017. Hence, the present petition.

3. On the last date of hearing, learned counsel for the respondent was directed to obtain instructions from the Department. Today, she states on instructions that post dissolution of the BIFR, all the case records have been transferred to a Cell in the Department of Financial Services, Ministry of Finance, Union of India and it being a very old record, it will take at least six weeks for the Department to trace and furnish copies of the relevant documents to the petitioners.

4. In view of the submission made hereinabove, the present petition is disposed of with directions issued to the respondent to trace the relevant file as soon as possible and preferably within eight weeks from today. The petitioners shall get in touch with the Department for obtaining the relevant documents on requisite payment, which shall be furnished to them as per the procedure prescribed.

5. The petition is disposed of.

HIMA KOHLI, J

SANGITA DHINGRA SEHGAL, J

MAY 11, 2017

rkb/ap