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

+ **CO.APP. 2/2017**

**AMAN HOSPITALITY PVT LTD**

..... Appellant

Represented by: Mr.Sudhanshu Batra, Sr. Adv.  
instructed by Mr.Sanad Kr.  
Jha, Adv.

versus

**NS INTERIOR CONTRACTS PVT LTD**

..... Respondent

Represented by: None

**CORAM:**

**HON'BLE MR. JUSTICE PRADEEP NANDRAJOG**

**HON'BLE MR. JUSTICE YOGESH KHANNA**

**ORDER**

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**01.02.2017**

CM No.3992/2017

Exemption is allowed subject to all just exceptions.

CM Nos.3990-3991/2017

For the reasons mentioned in the two applications, though reasons for condoning delay in re-filing mentioned in CM No.3991/2017 are not very convincing, we condone the seven days' delay in filing and eighty three days' delay in re-filing the appeal.

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1. Though order dated August 31, 2016 is challenged but effectively challenge is to the ex-parte directions issued vide order dated May 03, 2016. While issuing notice to the appellant in a petition seeking winding up of the appellant learned Company Judge has directed as under :

*“In addition, the Managing Director or in his absence, all the Directors of the respondent company shall file their personal affidavits setting down the following:*

- (i) All information and particulars with regard to their shareholding in the company, their involvement in the affairs of the company and the nature of steps taken by them with regard to the management of the company;*
- (ii) The Profit & Loss Account and the Balance Sheets of the Respondent Company for the last three years;*
- (iii) The list of the bank accounts of the Respondent Company;*
- (iv) The names and residential addresses of the Directors and company secretary of the company along with their PAN and DIN numbers;*
- (v) The particulars of assets held in the name of all the directors of the respondent company along with the dates of acquisition as well as the nature of their right, title and interest therein; to be disclosed in a sealed cover for the time being;*
- (vi) The address of the Registered Office and the Corporate or branch offices, if any, of the Respondent Company;*
- (vii) The location of the statutory records and books of account of the company;*
- (viii) The list of immovable assets, land and building etc. of the respondent company, along with full particulars thereof sufficient to accurately identify and locate the said assets;*

- (ix) *The details of location of the assets of the company and their value;*
- (x) *Details of the debtors and creditors of the company with their complete addresses; and*
- (xi) *The details of workmen/employees and any amount outstanding to them.*
- (xii) *The respondent company as well as its Directors shall disclose their connection with any other entities whether incorporated or not and the extent of their interest therein, with full particulars.*  
*The said affidavits shall be filed within six weeks from today with an advance copy to counsel for the petitioner.”*

2. The directions do not cause any prejudice to the appellant company. The appellant has not filed any application before the learned Single Judge beseeching the learned Judge to recall the ex-parte directions issued.

3. We dismiss the appeal.

4. No costs.

**PRADEEP NANDRAJOG, J**

**YOGESH KHANNA, J**

**FEBRUARY 01, 2017**  
**VLD**