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

+ **W.P.(C) 9745/2017 & CM No. 39682-39683/2017**

M/S HIM URJA PVT. LTD.

..... Petitioner

Through: Counsel (appearance not given)
versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr Ajay Digpaul, CGSC for R-1, 3 &
4.
Mr K.S. Parishar and Mr. H.S.
Parihar, Advocates for R-2.
Mr Rajiv Kapur, Advocate for R-6.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **03.11.2017**

1. Issue Notice.
2. Learned counsel for the respondents accept notice.
3. The petitioner has filed the present petition, *inter alia* impugning the order passed by the Registrar of Companies, Mumbai, dated 10.07.2017 inasmuch as the petitioner's name has been included in the list companies the names of which have been struck off and dissolved. Consequent to the said order, the bank accounts operated by the petitioner have also been frozen.
4. It is the petitioner's case that his company is no longer within the jurisdiction of Registrar of Companies, Bombay as its Registered office was shifted to Delhi in the year 2003.
5. The learned counsel for the petitioner also drew the attention of this Court to an order dated 11.03.2003 passed by the Company Law Board,

Western Region, approving such transfer. The said order was taken note of by the Registrar of Companies, Bombay. A certificate dated 24.04.2003 was also issued by the Registrar of Companies, Bombay certifying that the certified copy of the order passed by the Company Law Board had been registered.

6. The petitioner stated that thereafter the petitioner has been filing all returns with the Registrar of Companies at Delhi and there is no allegation that the petitioner has defaulted in that regard.

7. In view of the above, the present petition is allowed and the impugned list dated 10.07.2016, insofar it includes the name of the petitioner, is set-aside. Consequentially, the petitioner is also at liberty to operate its bank accounts on the strength of this order. It is clarified that in the event, respondent seeks to take any action against the petitioner they shall do so after issuing a prior notice, after affording the petitioner due opportunity to be heard.

8. Order *dasti* under the signature of the Court Master.

VIBHU BAKHRU, J

NOVEMBER 03, 2017

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