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

+ **W.P.(C) 11490/2017 & C.M. Nos. 46845-846/2017**

MR. BHAVNESH KUMAR KANWAR & ORS. Petitioners
Through: Ms. Maneesha Dhir,
Ms. Varsha Banerjee and Mr. M.S. Negi and
Mr. Kunal Godhwani, Advocates.

versus

RAVE SCANS PVT. LTD. & ORS. Respondents
Through: Mr. Rajat K. Advocate for R-3.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **21.12.2017**

1. The present petition has been listed by the Registry before this Bench, in terms of an order dated 20.12.2017, passed by the Hon'ble Acting Chief Justice as the Roster Bench has not assembled today.
2. The petitioners seek quashing of the order dated 28.9.2017, passed by the NCLT, dismissing their application for issuing directions to the respondents not to initiate proceedings against them in any case including arbitration proceedings pending in the Calcutta High Court and the contemplated proceedings under Section 138 of the Negotiable Instrument Act, 1881.
3. Under the impugned order, the captioned application filed by the petitioners has been dismissed by the NCLT on the ground that the Ex-Directors are no longer competent to file any such application since the

management of the respondent No.1/company has been over by the Insolvency Professional appointed under the Insolvency and Bankruptcy Code, 2016.

4. After addressing arguments for some time, Ms. Dhir, learned counsel for the petitioners seeks leave to withdraw the present petition while reserving the right of her clients to seek legal recourse, if available, before the NCLAT or any other Forum, in accordance with law.

5. Leave, as prayed for, is granted. The present petition is dismissed as withdrawn, along with the pending applications.

DASTI under the signatures of the Court Master.

HIMA KOHLI, J

REKHA PALLI, J

DECEMBER 21, 2017

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