

IN THE HIGH COURT OF BOMBAY AT GOA
MISC.CIVIL APPLICATION NO. 196 OF 2018
IN
WRIT PETITION NO. 278 OF 2018
AND
MISC.CIVIL APPLICATION NO. 197 OF 2018
IN
WRIT PETITION NO. 277 OF 2018

Dr. Sandip Kumar Mukhopadhyay,
Rep. By its Const. Att., Santanu
Sanyal,

... Applicant

Versus

Union Of India, Thr. Ministry of
Corporate Affairs, New Delhi And
Anr.,

... Respondents

Mr. Yogesh V. Nadkarni, Advocate with Ms. Divya R. Shivraj,
Advocate for the Petitioner.

Mr. Dattaprasad Lawande, Advocate General with Mr. Mahesh
Amonkar, Central Government Standing Counsel, for the
Respondents.

Coram : N.M. Jamdar &
Prithviraj K. Chavan, JJ.

Date : 13 March 2018

P.C.

We had heard the learned Counsel for the parties on 27
February 2018 and on 6 March 2018. At the request of the learned

Standing Counsel for the Respondents, the Petition is already adjourned to 3 April 2018. The present application is taken up by the Applicant seeking to rely upon the Order passed by the learned Single Judge of Delhi High Court dated 21 December 2017. The prayer made by the Petitioner/Applicant is that the Applicant may be permitted to avail of the scheme dated 29 December 2017, i.e. Condonation of Delay Scheme, 2018.

2. We have perused the Scheme. Clause 3 of the Scheme states that the Scheme is applicable to all the defaulting companies, except those companies whose name has been removed from the Register of Companies.

3. We have noted from the Writ Petition compilation that the Division Bench of this Court in identical matters, has not granted any interim relief.

4. Be that as it may, since the Petition is pending, to avoid *fait accompli* in case the decision is in favour of the Petitioner, we permit the Petitioner to lodge his application with the authorities. The authorities however will not take any decision thereupon till the Writ Petition is decided. We are issuing these directions only for the

purpose of avoiding a situation whereby the result of the Petition is in Petitioner's favour but the Petitioner cannot be granted any relief under the Scheme, since the last date of submitting application is till 31 March 2018.

5. The Civil application is disposed of.
6. All parties to act on the authenticated copy of this order.

Prithviraj K. Chavan , J.

N.M. Jamdar, J.