

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.4252 of 2018

ORDER:

Heard Sri K.V.Raghuveer, learned counsel for the petitioners and Sri K.Laxman, Assistant Solicitor General, appearing for the respondents.

When the matter is taken up, it is brought to the notice of this Court that, in identical set of circumstances, this Court disposed of W.P.Nos.36764 & 41960 of 2017, by way of a common order, on 04.01.2018. The following is the operative portion of the said common order:

“ The Writ Petitions are ordered as follows:

- (i) the petitioners are given liberty to represent with all the grievances the petitioners have against disqualification of Directors, including objection against striking off company under Section 248 of Companies Act within four weeks from today, by enclosing a copy of this order, to 2nd respondent;*
- (ii) the 2nd respondent considers the objection and passes order, if necessary, after affording opportunity to petitioners on or before 25.02.2018;*
- (iii) The interim order granted by this Court is directed to be continued till 01.03.2018; and*
- (iv) without prejudice to above, the petitioners, if prefer to avail the benefit under the scheme, are also permitted as follows:*

(a) the petitioners since have filed or uploaded the statutory reports pursuant to the interim direction of this Court, the respondents are directed to treat the documents/reports already uploaded as filed by the petitioners under the Scheme;

(b) the petitioners pay the prescribed fee of Rs.30,000/- for the defaulting company for

filing application Form-e-CODS 2018 and send the details of payment or the demand draft purchased by the company to 2nd respondent on or before 28.02.2018 by enclosing a copy of this order;

(c) The 2nd respondent after receiving the application referred to above considers the statutory reports already filed by petitioners and the report/balance sheet is entered and the disqualification removed and DIN restored; and

(d) The said exercise is directed to be taken up and completed on or before 15.03.2018.

(v) The petitioners, if aggrieved by the decision of Registrar, are given liberty to work out his prayers in accordance with law.

There shall no order as to costs. Miscellaneous petitions pending, if any, shall stand closed”.

Since there was interim order in the above referred cases, this Court directed the same to be continued. Following the said order and for the reasons recorded therein, this writ petition is also disposed of in terms of paragraph Nos.i, ii, iv (a) to (d) and v of the operative portion of the said order.

Office to enclose a copy of the common order, dated 04.01.2018, in W.P.Nos.36764 and 41960 of 2017 to this order.

Miscellaneous petitions, if any, shall stand closed.

There shall be no order as to costs.

A.V.SESHA SAI,J

09th February, 2018
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