

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.8604 OF 2018

ORDER:

When the matter is called, it is brought to the notice of this Court that in similar circumstances, this Court disposed of W.P.Nos.38864 & 43405 of 2017 by way of a common order, dated 04.01.2018, and a copy of the same is filed along with writ material papers. The operative portion of the said order reads as under:

“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.”

2. Following the said order and for the reasons stated therein, this writ petition is also disposed of, in terms thereof. However, it is made clear that the respondents herein shall restore the DIN of the petitioner herein to avail the benefit under the above said order. There shall be no order as to costs.

3. Office to enclose a copy of the common order, dated 04.01.2018, in W.P.Nos.38864 & 43405 of 2017 to this order.

4. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE A.V.SESHA SAI

Date : 16.3.2018
AMD

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