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

+ W.P.(C) 1035/2018

**CROMPTON GREAVES CONSUMER ELECTRICALS
LIMITED**

..... Petitioner

Through: Mr Vikramjit Banerjee, Sr. Advocate
with Mr Hemant Daswani,
Advocates.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr Jasmeet Singh, CGSM for R-1 &
R-2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **05.02.2018**

CM No. 4349/2018

1. Allowed, subject to all just exceptions.

W.P.(C) 1035/2018 & CM No.4348/2018

2. Issue notice. The learned counsel appearing for the respondents accepts notice.

3. The principal grievance of the petitioner is that its name has not been recorded in the Gas Sales Agreement (GSA) in place and stead of Crompton Greaves Limited. The original GSA was entered into between Crompton Greaves Limited and the Oil and Natural Gas Corporation (respondent no.3). The Crompton Greaves Limited underwent a de-merger in terms of a Scheme of Arrangement under Sections 391-394 of the Companies Act, 1956 (Section 230-234 of the Companies Act, 2013).

4. In terms of the Scheme of Arrangement approved by an order dated 20.11.2015 passed by the Bombay High Court all business, undertakings, properties, investments and liabilities pertaining to the consumer product business of Crompton Greaves Ltd. were vested with the petitioner company (described as the Resulting Company).

5. The petitioner had accordingly applied for substituting its name in place of Crompton Greaves Ltd. It is stated that although the respondents are making supplies in terms of the GSA, the name of the petitioner has not been formally substituted in the GSA. This Court is informed by the learned counsel for the respondent that the petitioner's request for the same is pending with the respondents.

6. In view of the above, the present petition and the application are disposed of by directing the respondents to consider the petitioner's request and take the necessary steps within a period of eight weeks from today. In case the respondents decide to reject the petitioner's application and terminate the supplies, a two weeks prior notice would be given to the petitioner.

7. Order *dasti*.

VIBHU BAKHRU, J

FEBRUARY 05, 2018
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