

\$~5

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

W.P.(C) 2078/2018 with CM. APPL. 8608/2018

MOHD. TARIQ USMANI

..... Petitioner

Through: Mr. Kunal Sabharwal, Advocate.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr. Maninder Acharya, ASG with
Mr. Kirtiman Singh

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

%

22.03.2018

1. In the captioned writ petition, the petitioner claims to have served as a Director on the Board of Carpanter Private Limited ("CPL"). CPL's name was struck off from the Register of Companies due to failure to file financial statements and statutory returns for three consecutive years.

1.1 The petitioner claims that there was a deadlock in the management of CPL. It is averred that this led to failure on the part of CPL in filing its financial statements and statutory returns with the ROC.

1.2 It is, thus, the petitioner's case that owing to the non compliance, his name was included in the list of disqualified Directors.

2. To be noted, apart from the petitioner, the other members of Board of Directors are not before the Court. In these circumstances,

3. Clearly, this appears to be a case of inter se dispute as amongst the Directors. Resultantly, good management of EIPL has become a casualty; filing financial statements and statutory returns is one such example.

3. In these circumstances, the petitioner is given liberty to approach the ROC. The petitioner will make his representation before 28.03.2018. The ROC will hear the petitioner on 29.03.2018 and pass a speaking order on before 31.03.2018. A copy of the order will be furnished to the petitioner.

4. In the meanwhile, the petitioner's DIN and DSC shall be activated and the impugned list, insofar it includes his name, shall remain stayed.

RAJIV SHAKDHER, J

MARCH 22, 2018

c