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

+ W.P. (C) 2992/2018, CM APPL.12002-12003/2018

VASILIS CITYSCAPES PRIVATE LIMITED AND ORS.

..... Petitioners

Through: Mr. Ashutosh Gupta with
Mr. Gaurav Rana, Advocates.

versus

UNION OF INDIA AND ANR.

..... Respondents

Through: Ms. Shiva Lakshmi, CGSC for UOI.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

23.03.2018

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1. In the captioned writ petition, petitioner no.2 and 3 were appointed as Directors on the Board of A.N. Infratech Private Limited (“ANIPL”) whose 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 Counsel for the petitioners submits that the non-compliance was due to the non-availability of, one, Mr. Sunil Gandhi who was also appointed as a Director on the Board of ANIPL.
 - 1.2 Furthermore, it is submitted by the petitioners’ counsel, that is, Mr. Sunil Gandhi is also shareholder of ANIPL holding 33.33% shareholding.
2. It is, thus, the petitioners’ case that owing to the non compliance, their names were included in the list of disqualified Directors.
3. Clearly, there appears to be an inter se dispute between the Directors of ANIPL. Resultantly, good management of ANIPL has

become a casualty; filing financial statements and statutory returns is one such example.

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

5. In the meanwhile, the petitioners' DIN and DSC shall be activated and the impugned list, insofar it includes their names, shall remain stayed.

RAJIV SHAKDHER, J

MARCH 23, 2018

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