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

+ W.P. (C) 2748/2018, CM APPL.11182/2018

SAMEER VASUDEVA & ANR. Petitioner
Through: Mr. Sarad K. Sunny and Mr. Arjun
Singh, Advocates.

versus

UNION OF INDIA & ORS. Respondents
Through: Ms. Maninder Acharya, ASG with
Mr. Ajay Digpaul, CGSC.

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER
22.03.2018

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1. This matter came up for hearing yesterday i.e., 21.3.2018 when I had passed an interim order to the effect that operation of the list of disqualified directors insofar as inclusion of the petitioners' names was concerned, would remain stayed.
- 1.1 Furthermore, the official respondents were also directed to activate the petitioners' DIN and DSC.
2. Counsel for the petitioners says that there is a dispute amongst the directors. Apart from the petitioners herein, I am informed that there are two other directors on the Board of the Prater Tristar India Pvt. Ltd. (for short "PTIL") i.e., respondent no.3. Names of the other two directors on the Board of PTIL are set forth in paragraph 8 of the writ petition.
3. Counsel for the petitioners says that the disqualification of the petitioners took place as the other two directors i.e., Mr. Richard John Davies and Mr. David John Galavan did not file the requisite financial

statements and statutory returns.

3.1 Counsel for the petitioners says that the petitioners would like to make a representation to the ROC for removing their names from the list of disqualified directors.

4. Having regard to the submissions made, the petitioners are given liberty to approach the ROC for having their names removed from the list of disqualified directors. For this purpose, the petitioners will appear before the ROC on 28.3.2018. The ROC will hear the petitioners and/or their authorized representative and pass a speaking order. The petitioners will also have the liberty to parallelly avail benefit of Condonation of Delay Scheme, 2018 ("Scheme") in accordance with law.

4.1. Needless to say, since the Scheme expires on 31.3.2018, the requisite steps in this behalf shall be taken by the petitioners on or before the said date.

4.2 Furthermore, the interim order passed by this Court on 21.3.2018 shall continue to operate till 31.3.2018 or till such time the ROC passes a speaking order on the representations of the petitioners, whichever is later.

4.3 It is made clear that if the petitioners do not appear before the ROC on 28.3.2018, the interim protection granted by this Court on 21.3.2018 shall automatically stand dissolved.

5. The writ petition is disposed of in the aforesaid terms.

6. *Dasti.*

RAJIV SHAKDHER, J

MARCH 22, 2018

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