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

+ **W.P.(C) 3368/2018**

HARDIAL SINGH CHAUHAN

..... Petitioner

Through Mr Siddharth Nagpal, Advocate.

versus

UNION OF INDIA AND ANR

..... Respondents

Through Mr Amrita Prakash, CGSC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

O R D E R

01.05.2018

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IA No. 13273/2018

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(C) 3368/2018 & IA No. 13272/2018

3. The petitioner has filed the present petition, *inter alia*, impugning the action of the respondents including the name of the petitioner in the list of disqualified directors. The petitioner further prays that the respondents be directed to restore the petitioner's Director Identification Number (DIN). The learned counsel appearing for the petitioner has also drawn the attention of this Court to an order dated 23.03.2018, whereby a Coordinate Bench of this Court has disposed of a similar petition in the light of the order dated 21.03.2018 passed by the Division Bench in a batch of writ petitions. In view of the above, the present petition is disposed of with the following directions:-

- (i) The operation of list of disqualified directors in so far as the inclusion of the name of the writ petitioner is concerned, shall remain stayed.

(ii) the DIN and DSC of the writ petitioner will stand activated.

(iii) The writ petitioner will have liberty to apply under the Condonation of Delay Scheme, 2018 (hereafter “scheme”). Permission is granted to make the requisite filings in the form of hard copies.

(iv) The writ petitioner will deposit a sum of ₹30,000/- qua each such company vis-a-vis whom steps for voluntary striking off are required to be taken. The said amount will be deposited in the form of Fixed Deposit Receipt (FDR) with the Registry of this Court on or before 07.05.2018. The FDR will be created in favour of the ROC.

(v) The amount deposited by way of FDR, as adverted to in clause (iv), will be in addition to other charges that would be payable under the Scheme. These sums will be deposited in the form of FDR as well. The writ petitioner will also furnish their calculations in that behalf.

4. The writ petitioner will abide by the Division Bench-I order dated 21.03.2018, passed in a batch of writ petitions, the lead petition being W.P. (C) 9439/2017, captioned “*Atul Khosla & Anr. v. Union of India and Ors*”.

5. Liberty, however, is given to both the petitioner(s) and the official respondents to revive the petition, in case, there are issues which are not covered by the Division Bench judgment.

6. Needless to say, the disposal of the writ petition will not come in the way of the official respondents presenting their point of view before the Division Bench.

7. The petition and pending application are disposed of.

VIBHU BAKHRU, J

MAY 01, 2018/pkv