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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 3689/2018

RAKESH GOYAL AND ANR.

..... Petitioners

Through: Mr. Aditya Nayyar, Adv.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr. Vikram Jetly, CGSC for R-1 & 2.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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23.04.2018

1. Mr. Vikram Jetly, learned CGSC, who appears for respondent nos. 1 & 2, states that the FTE Scheme is no longer in existence.

1.1 The said statement is taken on record.

2. Counsel for the petitioners states that, though, he has information to the contrary as a measure of abundant caution an affidavit was filed on 18.4.2018 in which petitioners have taken the position that they wish to avail of the benefits of the CODS-2018 ("Scheme").

7. Accordingly, the captioned writ 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(s) of the writ petitioner(s) is concerned, shall remain stayed.

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

(iii) The writ petitioner(s) 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(s) will deposit, if not deposited already, a sum of Rs.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 15.05.2018. 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(s) will also furnish their calculations in that behalf.

8. The writ petitioner(s) 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, titled: *Atul Khosla & Anr. v. Union Of India and Ors.*

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

10. 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.

11. Pending application(s), if any, shall stand closed.

12. *Dasti* under signatures of the Court master.

RAJIV SHAKDHER, J

APRIL 23, 2018

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