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IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(C) 3769/2018

SUNITA SHARMA

..... Petitioner

Through: Ms. Arunima Dwivedi, Adv. with
Ms. Preeti Kumra, Adv.

versus

UNION OF INDIA AND ANR.

..... Respondents

Through: Ms. Shiva Lakshmi, CGSC with
Mr. Ruchir Ranjan Rai, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **17.04.2018**

CM No. 14946/2018

1. Allowed, subject to all just exceptions.

W.P.(C) 3769/2018 & CM No. 14945/2018

2. Counsels are agreed that the issue raised in the present writ petition is covered by the judgement dated 22.3.2018 passed in various writ petitions including W.P.(C) No.2472/2018, titled: Puja Tandon and Anr. vs. Union of India and Anr. In sum, the petitioners seek to revive the subject company i.e., Bhuvneshwari Energy Private Limited (BEPL), by filing an appeal, if not already filed, before the NCLT under Section 252 of the Companies Act, 2013.

3. It is averred by the counsel for the petitioner that there are two Directors in the subject company, that is, Ms. Sunita Sharma and Mr. Royal Luthra.

3.1 To be noted, Mr. Royal Luthra had approached this Court by way of a writ petition, being W.P.(C) No. 3717/2018. In that writ petition averments were made with respect to BEPL. The fact that Mr. Royal

Luthra was a director on the Board of BEPL is alluded to in the said writ petition. This writ petition was disposed of vide order dated 16.04.2018 and directions were issued *vis-a-vis* another company by the name of Ashoka Hydro Power Private Ltd. (AHPL). In so far as BEPL was concerned, it was observed another writ petition had been filed (i.e. the captioned petition), which had not been numbered.

4. Since the captioned petition has been filed qua BEPL, *vis-a-vis* which revival is sought, as noticed above, it is disposed of with the direction to the official respondents to apply the directives contained in Puja Tandon (Supra).

5. It is made clear that the directions contained in aforementioned order will apply *mutatis mutandis* to the petitioner herein and Mr.Rajesh Luthra.

6. Dasti.

RAJIV SHAKDHER, J

APRIL 17, 2018

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