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

+ **W.P.(C) 3924/2018**

RAJEEV SRIVASTVA Petitioner
Through: **Mr.Keshav Mohan, Adv.**

versus

UNION OF INDIA AND ANR. Respondents
Through: **Mr.Manish Mohan, CGSC for R1&2.**

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER
ORDER
% **20.04.2018**

CM. APPL. No.15523/2018

1. Allowed, subject to all just exceptions.

W.P.(C) 3924/2018 & CM. APPL. No.15522/2018

2. Issue notice. Mr. Manish Mohan, CGSC accepts notice on behalf of the official respondents.
3. Mr. Keshav Mohan, who appears for the petitioner, says that he wishes to approach the NCLT for reviving company by the name: Assotech Ridge Greens Reality Private Limited (in short "Assotech").
4. To be noted, Assotech was struck off from the Register of Companies by the ROC upon its failure to file the requisite financial statements and returns. The petitioner, I am told, was appointed as a Director on the Board of Assotech.
5. In view of the fact that the petitioner wishes to approach the NCLT to

revive Assotech in consonance with the provisions of Section 252 of the Companies Act, 2013, the learned counsel for the official respondents submits that the ROC will not oppose the revival provided the appeal is filed before 30.4.2018.

6. Having regard to the aforesaid, the writ petition is disposed of giving liberty to the petitioners to approach the NCLT by way of an appeal. Pending the decision in the appeal, there would be a stay on the operation of the list of disqualified directors insofar as it concerns the petitioner herein. Furthermore, the respondents will also activate the DIN and DSC of the petitioner.

7. Needless to say if the petitioner fails to file an appeal within the timeline given above, or fails in persuading the NCLT to revive Assotech, the stay on the operation of the list of disqualified directors, insofar as it concerns the petitioner, would stand dissolved automatically with necessary consequences. This direction would also apply if the petitioner fails to take requisite steps under the Condonation of Delay Scheme, 2018 (“Scheme”) after it is ordered to be revived by NCLT.

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

RAJIV SHAKDHER, J

APRIL 20, 2018

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