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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4426/2018 & CM Nos.17157-17158/2018**

DIPAK CHAUDHARY & ORS Petitioners
Through : Mr.Depak Singh with Mr.Ajay Kumar,
Mr.Deepak Chaudhary, Mr.Sanjay Kumar
Kashyap, Mr.Amit Kumar Saxena, Ms.Amrita
Mishra and Ms.Ritu Yadav, Adv.

versus

UNION OF INDIA & ORS Respondents
Through : Mr.Gaurang Kanth, CGSC.

CORAM:
HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

27.04.2018

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Heard.

The respondent No.3-company, namely, Polo Computers and Softwares Pvt. Ltd. was struck off from the Registrar of Companies.

Learned counsel for the petitioners submits that the company needs to be revived too.

The Standing Counsel for respondent No.1 submits that the petitioners needs to approach the NCLT to revive the Company in consonance with the provisions of Section 252 of the Companies Act, 2013 and that the ROC will not oppose the revival provided the appeal is filed before 01.05.2018.

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.

Needless to say if the petitioner fails to file an appeal within the timeline given above, or fails in persuading the NCLT to revive the Company, 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.

Writ petition along with the pending applications stand disposed of.

Dasti under the signatures of the Court Master.

YOGESH KHANNA, J

APRIL 27, 2018

Bisht