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

+ W.P.(C) 4610/2018

MUKESH GARG AND ANR

..... Petitioners

Through: Mr. Manmohan Shringirishi,
Advocate.

versus

UNION OF INDIA

..... Respondent

Through: Ms. Amrita Prakash, CGSC for UOI.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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01.05.2018

2. Issue notice. Ms. Amrita Prakash, CGSC accepts notice on behalf of the official respondents.
3. Learned counsel for the petitioners, says that he wishes to approach the NCLT for reviving company by the name: SRG Propmart Private Limited (hereinafter referred to as "Company").
4. To be noted, the Company was struck off from the Register of Companies by the ROC upon its failure to file the requisite financial statements and returns. The petitioners, I am told, were appointed as Directors on the Board of the Company.
5. In view of the fact that the petitioners have approached the NCLT to revive the Company 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.
6. To be noted, the captioned Writ petition was filed on the day the

Condonation of Delay Scheme, 2018 ("Scheme") was to expire. Therefore, this writ petition is disposed of with the direction that 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 petitioners herein. Furthermore, the respondents will also activate the DIN and DSC of the petitioners.

7. Needless to say if the petitioners fail in persuading the NCLT to revive the Company, the stay on the operation of the list of disqualified directors, insofar as it concerns the petitioners, would stand dissolved automatically with necessary consequences.

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

RAJIV SHAKDHER, J

MAY 01, 2018
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