

\$~16 & 17

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

+ **W.P.(C) 4420/2017**

PR DIRECTOR GENERAL OF INCOME TAX Petitioner

Through: Mr. Ajit Sharma, Sr. Standing
Counsel with Mr. Asheesh Jain, Mr.
Adnan Siddiqui and Mr. Mayank
Aggarwal, Advocates

versus

THE CHAIRMAN & MD M/S MODERN TERRY
TOWELS LTD AND ANR

..... Respondents

Through: Mr. Ved Jain, Advocate with Mr.
Pranjal Srivastava, Advocate for R-1
Mr. Satinder S. Gulati, Advocate with
Mr. Kamaldeep Gulati, Advocate for
R-2

+ **W.P.(C) 4451/2017**

PR. DIRECTOR GENERAL OF INCOME TAX
(ADMN. & TPS)

..... Petitioner

Through: Mr. Puneet Rai, Advocate

versus

M/S GUJARAT THEMIS BIOSYN LTD. & ANR Respondents

Through: Mr. Shashank Singh, Advocate with
Mr. Arjun Minocha and Mr. Sourav
Vig, Advocates

CORAM:
HON'BLE MR. JUSTICE SIDDHARTH MRIDUL
HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

%

22.02.2018

In view of the decision of a Division Bench of this Court in *Ashapura Minechem Limited v. Union of India and Others* reported as 244 (2017) DLT 716, learned counsel appearing on behalf of the petitioners seek leave to withdraw these petitions with liberty to approach the National Company Law Appellate Tribunal, in accordance with law.

Leave and liberty granted.

The petitioners are at liberty to approach the National Company Law Tribunal within a period of 60 days from today. If such an application/reference is made within 60 days, the same would not be dismissed on the ground that it has been preferred beyond the period of 180 days. We are granting this liberty as the writ petitions have remained pending in this Court and the Government of India had also taken time to clarify.

With the aforesaid observations and liberty, the writ petitions are disposed of.

There shall be no order as to costs.

SIDDHARTH MRIDUL, J

DEEPA SHARMA, J

FEBRUARY 22, 2018

dn

W.P.(C) 4420/2017 & W.P.(C) 4451/2017

Page 2 of 2