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

+ W.P.(C) 9665/2017

ROSE DALE ESTARES PRIVATE LIMITED
AND ANR.

..... Petitioners

Through: Mr Pragyan Pradip Sharma and Ms
Anandini Kumari, Advocates.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr Ruchir Mishra, Mr Mukesh
Kumar Tiwari and Mr Abhishek
Rana, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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11.01.2018

CM No. 39357/2017

1. Allowed, subject to all just exceptions.

W.P.(C) 9665/2017 & CM No.39356/2017

2. Learned counsel for the petitioners seek to withdraw the present petition with liberty to approach the National Company Law Tribunal (NCLT) under Section 252 of the Companies Act, 2013 (hereafter 'the Act').

3. The petition and the pending application are dismissed as withdrawn with the aforesaid liberty.

4. It is clarified that all contentions of the parties are reserved including the contention of the petitioners that the order under Section 248 of the Act has been passed in violation of principles of natural justice. In the event, the

said appeal is filed within a period of one week from today, the same would be considered by the NCLT uninfluenced by any question of delay.

VIBHU BAKHRU, J

JANUARY 11, 2018

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