

\$~63

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

+ **W.P.(C) 3123/2019**

PRANAV KUMAR

..... Petitioner

Through Ms Swetank Shantanu, Mr Pratap
Shanker, Ms Preeti Jha, Ms Shipti Srivastava,
Advocates.

versus

REGISTRAR OF COMPANIES

DELHI & HARYANA AND ORS.

..... Respondents

Through Ms Shiva Lakshmi, Advocate for ROC.
Mr N.K. Srivastava, Senior Counsel for UOI.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **07.05.2019**

1. The petitioner has filed the present petition, *inter alia*, impugning the list of disqualified directors to the extent it includes the petitioner's name. The petitioner had been disqualified for defaults committed in relation to the company 'Telkin Services Private Limited', in not filing the return for the financial years 2014-2016.
2. It is the case of the petitioner that he had resigned on 17.12.2013 and, therefore, cannot be held responsible for the defaults of the company that had occurred thereafter. The petitioner states that the requisite form was filed with the Registrar of Companies (ROC) on 05.08.2014.
3. The aforesaid averments are not controverted. Accordingly, the petition is allowed. The list of impugned directors to the extent it includes

the petitioner's name is set aside.

4. It is clarified that in the event the ROC is of the view that the petitioner is responsible for the defaults, the ROC is not precluded from passing a fresh order, disqualifying the petitioner after affording the petitioner an opportunity of being heard.

5. The petition is disposed of.

VIBHU BAKHRU, J

MAY 07, 2019

pkv