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

+ W.P.(CRL) 451/2018 & CrI.M.A.2684/2018 & 32120/2018

M/S SHAMBHAVI CONTRACTORS PVT LTD ... Petitioner

Represented by: Mr.Vishal K.Panwar, Advocate

versus

UOI & ORS

.... Respondent

Represented by: Mr.Vikas Mahajan, CGSC for UOI
Mr.Lekh Raj Singh with Mr.Ravinder
Agarwal, Advocate for Respondent
No.3-CVC
Mr.Sanjeev Mahajan, Advocate for
respondent No.5

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

14.01.2019

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1. By this petition the petitioner M/s.Shambhavi Contractors Pvt. Ltd. filed through its Managing Director Shri L.R.Kashyap, prays for quashing of impugned orders dated 30th December, 2015, 17th December, 2017 and grant of sanction under Section 197(1) of Cr.P.C. to prosecute respondents No.5 to 8 and others.

2. On a notice being issued to respondents, respondents pointed out from the record of the Registrar of Companies that M/s.Shambhavi Contractors Pvt. Ltd. was no more in existence and that there was variance in the copy of the letter dated 30th June, 2010 addressed to NBCC by the petitioner.

Thereafter, the petitioner filed an application being Crl.M.A.No.32120/2018 seeking amendment of the name of the company relying upon minutes of the meeting dated 3rd April, 2018 by the Board of Directors of M/s.Ancient Infratech Pvt. Ltd. (old name being M/s.Shambhavi Contractors Pvt. Ltd.).

3. A perusal of the present petition reveals that it is accompanied by a Board Resolution dated 20th October, 2017 noting the certified true copy of the resolution passed in the meeting held on 31st January, 2016 by the Board of Directors of M/s.Shambhavi Contractors Pvt. Ltd. unanimously authorizing Shri L.R.Kashyap, Managing Director, to appoint advocates, verify documents, file complaints, withdraw petition etc. pursuant where to the present writ petition was filed.

4. Admittedly, even on 31st January, 2016 M/s.Shambhavi Contractors Pvt. Ltd. was not in existence and the company's name had been changed to M/s.Ancient Infratech Pvt. Ltd. It is thus evident that the petitioner is interchangeably using the names of the company wherever convenient to the petitioner and filing forged and fabricated documents before the Courts.

5. Petition and the applications are dismissed with the cost of ₹20,000/- to be deposited with the Delhi High Court Legal Services Committee within four weeks.

MUKTA GUPTA, J.

JANUARY 14, 2019
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