

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 1052 of 2020**

1. Jasbir Singh Chawla S/o Late Shri Dilip Singh Chawla Aged About 55 Years R/o C-117, Sector-1, Devendra Nagar, P.S. Devendra Nagar, Raipur District- Raipur, Chhattisgarh.- 492001
2. Jasmit Singh Chawla S/o Late Shri Ajender Singh Chawla Aged About 34 Years R/o 76, Aishwarya Residency, Tatibandh, P.S. Tatibandh, Raipur, District- Raipur, Chhattisgarh.- 492001
3. Rita Chawla W/o Jasbir Singh Chawla Aged About 55 Years R/o C-117, Sector-1, Devendra Nagar, P.S. Devendra Nagar, P.S. Devendra Nagar, Raipur District- Raipur, Chhattisgarh.
4. Gurpreet Kaur Chawla D/o Jasbir Singh Chawla Aged About 26 Years R/o C-117, Sector-1, Devendra Nagar, P.S. Devendra Nagar, Raipur, District- Raipur, Chhattisgarh.- 492001

---- Petitioners**Versus**

1. Union Of India Through Principal Secretray, Ministry Of Corporate Affairs, Government Of India, A Wing, Shastri Bhawan, Rajendra Prasad Road, New Delhi.- 110001,
2. Registrar Of Companies Chhattisgarh, Nehru Chowk, District- Court Area, Bilaspur, Chhattisgarh.- 495001

---Respondents

For Petitioner	: Mr. Palash Tiwari, Adv.
For Union of India	: Mr. R.K. Kesharwani, Adv.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****21/05/2020**

1. The grievance in the present writ petition is the action on the part of respondents in disqualifying the director of KMD Enterprises Private Limited.
2. The Counsel for the petitioners submits that the order of disqualification has been passed on account of certain alleged defaults on the part of the company for non submission of return continuously for three years.
3. Counsel for the petitioners further submits that there were justified and bonafide reasons on the part of the petitioners which prevented them for making a submission. He further submits that they have already made a detailed representation in this regard to the

respondent no. 2 and wherein they have also made a categorical submission to the respondent no. 2 in their representation that the petitioners are willing to cure the defaults subject to the penalties whatever the respondent no. 2 may impose upon the petitioners, if at all, if there is any default on the part of the petitioners which the Respondent may find after due scrutiny of their representation.

4. On this submission, that the Learned Counsel for the petitioner has made, the Learned Counsel for the Union of India i.e. respondent no. 1 submits that the matter may be disposed of directing the respondent no. 2 to take an appropriate decision on the application that the petitioners have made in accordance with law.
5. Accordingly, the writ petition is disposed of directing the respondent no. 2 to take a decision on the representation of the petitioners dated 11.03.2020 (Annexure P/7) at the earliest in accordance with law.

Sd/-

**(P. Sam Koshy)
Judge**