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

+ **W.P.(C) 3732/2020 & CM APPL. 13362/2020**

RANBIR SINGH & ANR.

..... Petitioners

Through

Mr.Ashish Middha and Mr.Purav
Middha, Advs.

versus

MINISTRY OF CORPORATE AFFAIRS & ANR. Respondents

Through

Mr.Vishal Bakshi, SPC for R-1 & 2

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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02.07.2020

1. This hearing has been held by video conferencing.
2. This petition has been filed by the petitioners stating that the learned National Company Law Appellate Tribunal (NCLAT) vide its order dated 06.12.2019 passed by in Company Appeal (AT) No.177/2019 titled ***Calcutta Rubber Factory Pvt. Ltd. & Ors. vs. Registrar of Companies*** was pleased to direct the name of the company, that is, Calcutta Rubber Factory Pvt. Ltd., to be restored to the Register of Companies and quash the order dated 27.04.2017. Pursuant to the said order, though the name of the company has now been shown as 'Active', but the petitioners have not been removed from the list of disqualified Directors, thereby hampering the petitioners in complying with the direction of the learned NCLAT directing the company to file all its annual returns and balance sheets due for the period ending

2012-13 to date, within 30 days of restoration of the company's name in the register.

3. The learned counsel for the petitioners submits that the petitioners are Directors of only Calcutta Rubber Factory Pvt. Ltd. and no other company. The disqualification was suffered by them only due to the non-filing of the returns by the said company and the Public Notice dated 27.04.2017, which by the order dated 06.12.2019 passed by the learned NCLAT, has been quashed. He submits that therefore, the necessary consequence of the order of the learned NCLAT is the restoration of the petitioners' status as Director of the said company and removal of their name from the list of disqualified Directors.

4. On the other hand, the learned counsel for the respondents submits that the respondent has complied with the direction of the learned NCLAT by activating the status of the company, however, as there was no representation from the petitioners filed before approaching this Court, their status still remain as disqualified Directors.

5. In view of the submissions made, the respondents are directed to consider the contents of the present petition as a representation of the petitioners and decide the same within ten days from today. The order passed by the respondents shall be communicated to the petitioners within this period by way of an e-mail to the counsel for the petitioners as well.

6. Needless to say, if the petitioners are aggrieved of such decision of

the respondents, it shall always be open to the petitioners to challenge the same in accordance with the law.

7. The petition is disposed of with the above directions.

8. Copy of the order be supplied to the learned counsels for the parties for ensuring compliance.

NAVIN CHAWLA, J

JULY 02, 2020/Arya