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

Date of Decision: 18th January, 2021

+ **W.P.(C) 737/2021 & CM APPL.1839-40/2021**

PAROPKAR DEALERS PVT. LTD. Petitioner
Through: Mr. Sujoy Chatterjee and Mr.
Suryaneel Das, Advocates.
(M:8447376187)

versus

UNION OF INDIA & ANR. Respondents
Through: Ms. Shiva Laxmi, CGSC.

CORAM:
JUSTICE PRATHIBA M. SINGH

Prathiba M. Singh, J. (Oral)

1. This hearing has been done by video conferencing.
2. The Petitioner has filed the present writ petition seeking extension of the Companies Fresh Start Scheme, 2020 (“CFSS-2020”) in order to enable it to file the relevant documents.
3. Ld. counsel for the Petitioner now relies upon the ‘*Scheme for condonation of delay for companies restored on the Register of Companies between 1st December, 2020 and 31st December, 2020*’ under Section 252 of the Companies Act, 2013, dated 15th January, 2021 (*hereinafter*, “Scheme”). As per the said Scheme, considering that various NCLT benches have restored a number of companies which were struck off, during the period 1st December to 31st December 2020, but the said companies were unable to avail of the benefit of the Companies Fresh Start Scheme, 2020 and file their documents in time, the time for filing any overdue forms has been extended till 31st March 2021. No additional fees would be payable for all such

companies to whom the scheme is applicable.

4. Ld. counsel submits that the NCLT, Kolkata Bench has already restored the name of the company on 23rd December, 2020. Accordingly, the Petitioner seeks permission to file the relevant documents in terms of the Scheme.

5. Ms. Shiva Laxmi, Id. CGSC appearing for the Respondents submits that the Petitioner is registered with the Registrar of Companies in Calcutta, and must, therefore, approach the Calcutta High Court.

6. Considering the above facts where the company has already been restored by the NCLT, in order to avoid multiplicity of proceedings, the question of jurisdiction is not being gone into.

7. Considering the fact that the Petitioner's name has already been restored by the NCLT and a new Scheme has been floated under which the Petitioner would be permitted to file relevant documents, the present petition is disposed of permitting the Petitioner to invoke the Scheme dated 15th January, 2021.

8. The petition is disposed of in the above terms. All pending applications are also disposed of.

9. The digitally signed copy of the order shall be treated as the certified copy of the order for being filed before the ROC.

PRATHIBA M. SINGH
JUDGE

JANUARY 18, 2021/dk/T