

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15510 of 2019

Sanjay Kumar Pathak son of Tej Narayan Pathak resident of Village and Post Office- Bheja, Police Station- Bheja, District Madhubani, at present residing at B. 669, M.I.G. Flats, Near Sidharth International Public School, East of Loni Road, Mandoli, North East, Delhi, Delhi 110093.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Corporate Affairs, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi.
2. The Registrar of Companies, Bihar, Patna Mourya Lok Complex Block- A (4th Floor) Dak Bunglow Road, Police Station Kotwali, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s :	Mr. Ashok Kumar Prasad, Advocate Mr. Prabhas Ranjan, Advocate
For the Respondent/s :	Mr. Kumar Priya Ranjan, CGC Mr. Ankur Apurv Singh, JC to CGC Mr. Girish Nandan Abhishek, JC to CGC

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 06-12-2022

Petitioner has prayed for following relief (s) :-

- “(A) A Certiorari for setting-aside the order dated 29.06.2018 (Annexure-5) passed by the Registrar of Company, Bihar, Patna (respondent no.3) uploaded on the Website of Ministry of Corporate Affairs, New Delhi whereby petitioner has been disqualified to hold the office Directorship of the companies.
- (B) A Mandamus commanding the



respondents to permit the petitioner to get appointed a Director(s) of any company.

(C) Any other relief or reliefs for which petitioner may be found entitled to in the facts and circumstances of the present case may be granted to him.”

After the matter was heard for some time, finding the Court not in favour of the submissions made across the Bar, under instructions, Shri Ashok Kumar Prasad, learned counsel for the petitioner states that petitioner shall be content if petitioner is permitted to comply with the formalities and procedures, as required under the Companies Act, for obtaining Director Registration number.

Prayer is allowed. Liberty, as prayed for, is granted.

We are hopeful that with the completion of the procedural formalities, appropriate action shall be taken in accordance with law expeditiously and not later than four weeks thereafter.

Liberty reserved to the petitioner to take recourse to such other remedies as are otherwise available in accordance with law.

It stands clarified that all issues of fact and law are



left open to be agitated by the competent authority.

Petition is disposed of in the aforesaid terms.

Interlocutory application(s), if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

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AFR/NAFR	
CAV DATE	
Uploading Date	07.12.2022
Transmission Date	

