

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21027 of 2021

-
-
1. Vishwajeet Kumar son of Sri Indradeo Prasad resident of U/79/18, Third Floor, DLF- Phase- III, Gurgaon P.S. and District Gurgaon, Haryana.
 2. Kamaljeet Kumar, son of Sri Indradeo Prasad resident of U/77/66, RBS Building, DLF- Phase- III, Gurgaon P.S. and District Gurgaon, Haryana.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Corporate Affairs, New Delhi.
2. The Secretary, Ministry of Corporate Affairs, Govt. of India, New Delhi.
3. The Assistant Director (Policy), Ministry of Corporate Affairs, Govt. of India, New Delhi.
4. The Registrar of Companies, Bihar, Maurya Lok Complex, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	None
For the Respondent/s	:	Mr.Dr. Krishna Nandan Singh (Asg) Mr. Manoj Kumar Singh, Advocate Ms. Prakritita Sharma, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 21-03-2022 Heard learned counsel for the parties.

Petitioners have prayed for following reliefs:-

- i) For issuance of a writ in the nature of mandamus or any other appropriate writ commanding the Respondents to produce the copy of public notice as well as list of disqualified directors 2017-2022 before the Hon'ble Court and further for issuance of a writ in the nature of certiorari or any other appropriate writ for quashing of

public notice/order/direction of Respondent(s) and also the list of disqualified directors uploaded on the official website of Ministry of Corporate Affairs (Respondent No.-1), whereby the petitioners have been illegally declared disqualified as director of the company(s) for the period five years from 01.12.2017 to 30.11.2022 under section 164(2) of the Companies Act, 2013 and as a consequential action respective DIN of the petitioner bearing DIN No. 0308876 and 05136423 respectively and their respective DSCs have been deactivated for the aforesaid period as action of Respondent authorities are unconstitutional, irrational, unreasonable and manifestly arbitrary.

- ii) For issuance of a writ in the nature of mandamus or any other appropriate writ for commanding the Respondent(s) concerned to restore the name of the petitioners as qualified director and to re-activate his respective DIN No. 0308876 & 05136423 respectively and their DSCs, so that the petitioners may be able to file necessary

documents and make good the defaults under section 164(2) of the Companies Act, 2013.

- iii) For holding that the action of the Respondent Authorities with regard to declare the petitioners as disqualified Director and further de-activation of their respective DIN and DSC are wholly illegal, unreasonable, arbitrary, unconstitutional, premature and in utter violation of the statutory provision laid down for this purposes.
- iv) For issuance of any other appropriate writ, order or direction which your Lordships may deem fit and proper in the facts and circumstances of the case

On 24.02.2022, we have passed the following order:-

Despite repeated calls, none has entered appearance on behalf of the petitioner. Even on the previous occasion, when the matter was called out, no one had appeared on behalf of the petitioner.

Learned counsel for the respondent/s is/are present.

In the interest of justice, matter is adjourned.

List on 10th of March, 2022.

Even today, no one appears on behalf of the petitioners.

As a result, this writ application is dismissed for want of prosecution.

Interlocutory Application(s), if any, also stands dismissed.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-Ranjan

U			
---	--	--	--