

IN THE HIGH COURT OF ORISSA AT CUTTACK

**W.P.(C) No.14042 Of 2022
(Through hybrid mode)**

Aparna Mahapatra

....

Petitioner

Mr. R.N. Behera, Advocate

-versus-

***Registrar of Companies cum
Official Liquidator, Ctc and
another***

....

Opposite Parties

Ms. J. Sahu, Advocate (CGC)

CORAM: JUSTICE ARINDAM SINHA

**Order
No.**

2.

**ORDER
27.06.2022**

1. Mr. Behera, learned advocate appears on behalf of petitioner and on 23rd June, 2022 had submitted that his client is widow of the Promoter Director. His client's husband died on 21st June, 2021. There are two other directors in the company, who are resisting his client's claim to be appointed as director, in substitution of said deceased. His client made representation dated 8th October, 2021 to the Registrar of Companies (ROC) but to no avail.
2. Ms. Sahu, learned advocate appears on behalf of opposite party no.1 and submits, remedy of petitioner is under section 58 in Companies Act, 2013. Mr. Behera responds, section 56 requires the company to record transmission of securities.

3. It appears, persons in control of the company are not causing the transmission required by petitioner, on death of her husband, who, according to her, was the Promoter Director. In the circumstances, petitioner is at liberty to approach the National Company Law Tribunal (NCLT) with her grievance. In event of approach, the Tribunal is requested to expeditiously deal with the grievance, in accordance with law.

4. With above observations, the writ petition is disposed of.

(Arindam Sinha)
Judge

Sks

