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16.08.2023
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 3901 of 2023

Emery Foods Private Limited & Anr.
Vs.
Union of India & Ors.

Mr. Anirban Ray,
Mr. Varun Kothari,
Mr. Nikunj Berlia,
Ms. Saolini Bose
...for the petitioners

Mr. Swatarup Banerjee,
Mr. S.K. Twribari
...for the State

Affidavit-of-service filed in Court today be kept
on record.

Learned counsel appearing for the petitioners
contends that the petitioners wrote to the Registrar
of Companies (R.O.C.), West Bengal for removal of
the name of the erstwhile director, that is, the
respondent no. 4, from the relevant records.
Certain clarifications were wanted and such
particulars were furnished. But, till date, no steps
have been taken by the R.O.C. on the same.

Since the present writ petition is not
adversarial as such, no affidavits are directed. It is
deemed that none of the allegations made in the
present writ petition are admitted by any of the
respondents.

W.P.A. No. 3901 of 2023 is disposed of by directing the respondent nos. 2 and 3, that is, the Regional Director, Eastern Region, Ministry of Corporate Affairs and the Registrar of Companies, West Bengal, respectively to take appropriate steps on the representation of the petitioners concerning removal of name of the respondent no. 4 as the Director of the petitioner no.1-company from the relevant records, in accordance with law, positively within four weeks from date.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)