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

+ **W.P.(C) 5077/2024**

MGF DEVELOPMENTS LIMITED Petitioner

Through: Ms. Pooja M. Saigal, Mr.
Nikhil Sabri and Mr. Nipun
Gupta, Advs.

versus

UNION OF INDIA AND ORS Respondents

Through: Mr. Anurag Ahluwalia, CGSC
with Mr. Shriram Tiwary, G.P.
and Mr. Nitin Agnihotri, Adv.
for R-1 & R-2.
Mr. Sandeep Sethi, Sr. Adv.
with Mr. Madhav Khurana, Mr.
Daksh Ahluwalia, Mr. Arjun
Rekhi and Mr. Ashish Joshi,
Advs. for R-3.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

08.04.2024

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1. By way of the instant petition, the petitioner is invoking extraordinary jurisdiction of this Court under Article 226 of the Constitution of India, seeking the following reliefs:

“A. Pass an Order allowing the present Petition and issuing a Writ in the nature of mandamus directing the Respondent SFIO to investigate into the affairs of the Respondent No. 3 Company namely Emaar India Limited for the acts of the Respondent No. 3 are against the provision of Section 212(1)(a) of the Companies Act, 2013. Or/and

B. Pass an Order allowing the present Petition and directing the Respondent No. 1 to assign the investigation



into the affairs of the Respondent No. 3 company to the Respondent No. 2 and its Director, may designate such number of inspectors, as he may consider necessary for the purpose of such investigation.”

2. Learned senior counsel for respondent no. 3 opposes maintainability of the writ itself.
3. Evidently, the issues raised are sub judice before the NCLT. After some arguments, learned counsel for the petitioner submits that she may be permitted to withdraw the present petition.
4. Accordingly, the present petition is dismissed as withdrawn.

DHARMESH SHARMA, J.

APRIL 8, 2024/ck