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

+ **W.P.(C) 6414/2024**

SATISH KUMAR SETHI

..... Petitioner

Through: Mr. Prakhar Mittal and Ms. Vaishali
Shukla, Advocates.

versus

REGISTRAR OF COMPANIES, DELHI & ANR. Respondents

Through: Mr. Ravi Prakash, CGSC with Mr.
Adil Hussain Taqvi, GP and Mr.
Yasharth, Ms. Astu, Ms. Taha, Ms.
Usha, Mr. Ali Khan and Mr.
Ayushman, Advocates for R-1.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

13.05.2024

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1. The Petitioner has approached this Court for a direction to the Respondent/Registrar of Companies to rectify the erroneous entry regarding the Loan No.123033 concerning the property bearing No.DTS-141, DLF Tower, Shivaji Marg, New Delhi, Delhi-110064.
2. Material on record indicates that the Petitioner had availed of a loan amounting to Rs.90,00,000/- from Citi Bank in the year 2008. The loan was repaid somewhere in the year 2012 and upon repayment of the loan, the Citi Bank issued a Closure Letter/No Dues Certificate on 12.05.2012. It is stated that following the closure of the loan amount Nikhil Udyog Private Limited filed an application including Form – 17 as per the prevalent Companies Act, 1956 for updation of the records in the Respondent/Registrar of Companies. Since no action has been taken, the Petitioner has approached



this Court by filing the instant writ petition.

3. Learned Counsel appearing for the Respondent/Registrar of Companies points out that the application filed in the year 2012 was not in accordance with Companies Act, 1956. He, therefore, states that the said application was, therefore, held as invalid inasmuch as it was not supported by a valid application of condonation of delay.

4. In view of the fact that undisputedly, the loan has been repaid, this Court is inclined to dispose of the writ petition by permitting the Petitioner to move a fresh application in accordance with the Companies Act, 2013 for updation of records along with all supported applications.

5. The Respondent/Registrar of Companies is requested to consider the application of the Petitioner keeping in mind that the Petitioner had taken steps to intimate by filing an application in the year 2012 though the same was not accompanied by the application of condonation of delay.

6. Let the application be filed by the Petitioner within a period of one week from today. The Respondent/Registrar of Companies is directed to decide the application within three weeks thereafter keeping in mind that the delay on the part of the Petitioner was unintentional and that the loan stands satisfied.

7. With these observations, the writ petition is disposed of, along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

MAY 13, 2024

S. Zakir