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

+ **FAO(OS) 177/2024, CM APPL. 72903/2024-Exp, CM APPL. 72904/2024-Delay 132 days in re-filing**

M/S SONAL DEVELOPERS PRIVATE LIMITEDAppellant

Through: **Mr. Rajshekhar Rao, Sr. Adv with
Mr. Rajesh Ranjan, Mr. Neeraj Malta
and Mr. Shashank Dewan, Advs**

versus

M/S DURGA BUILDERS PRIVATE LIMITED AND ORS.

.....Respondents

Through: **Mr. Rajesh Ranjan, Mr. Attin Shauhar
Rastogi, Mr. Archit Chauhan and Ms.
Anushka Raghunath, Advs for R-1
and LR's of R-3**

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

12.12.2024

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1. After some arguments, learned counsel for the appellant seeks leave to withdraw the present appeal and submits that the appellant will first obtain the requisite documents from the office of the ROC, Delhi and then approach the learned Single Judge by way of an application to show that the name of the respondent/ plaintiff company has not yet been restored on the register of the companies.

2. The appeal is accordingly dismissed as not pressed with liberty as prayed for, making it clear that in case the appellant moves any such



application alongwith the requisite documents obtained from the office of the ROC, the learned Single Judge will consider the said application on its own merits.

REKHA PALLI, J

SAURABH BANERJEE, J

DECEMBER 12, 2024/Ab