



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO.34716 OF 2024

Ravi Maniram AryaPetitioner
Vs.
Union of India & Ors.Respondents

WITH
THIRD PARTY APPLICATION FOR CC NO.129 OF 2025

WITH
INTERIM APPLICATION NO.364 OF 2025
IN

WRIT PETITION (L) NO.34716 OF 2024

Arya Iron and Steel Company Pvt. Ltd. Applicant.

In the Matter in Between:

Ravi Maniram AryaPetitioner
Vs.
Union of India & Ors.Respondents

WITH
INTERIM APPLICATION NO.429 OF 2025

IN
WRIT PETITION (L) NO.34716 OF 2024

Pawan Kumar Arya Applicant.

In the Matter in Between:

Ravi Maniram AryaPetitioner
Vs.
Union of India & Ors.Respondents

Mr. Gaurav Joshi, Senior Advocate with Mr. Ankit Lohia & Mr. Priyank Daga, i/b. Mr. Priyank Daga, for the Petitioner.

Mr. Ashutosh Mishra with Mr. Jeel Shah & Mr. Ashish Mehta, for the Respondent Nos.1 and 2.

Mr. Shanay Shah with Mr. Vijay Nair, i/b. Mr. Arun Panickar, for the Applicant in IA/364/2025.

Mr. Karl Tamboly with Ms. Alya Khan with Mr. Akshat Tiwari, i/b. Vasi & Vashi, for the Applicant in IA/429/2025.

CORAM : REVATI MOHITE DERE &

DR. NEELA GOKHALE, JJ.

DATE : 25th APRIL 2025.

P.C.:-

1. Heard learned counsel for the parties.
2. By this Petition, the Petitioner essentially seeks quashing and setting aside of the acceptance of Form DIR-12 by the Respondent No.2-Registrar of Companies filed under SRN No.AA8630765.
3. Respondent No.2 has filed an Affidavit of Shri. Rajender Kumar, Deputy Registrar of Companies, Ministry of Corporate Affairs, Government of India, Maharashtra, Mumbai dated 27th March 2025. The said Affidavit tendered today, is taken on record. The relevant portion from the said Affidavit in particular page 323, reads as under:

“As it is apparent from the records available that the 2nd DIR-12 form was approved with human oversight, as the

officer of Respondent No.2 approving the same was unaware of the Form DIR - 12 which was filed earlier which was already rejected and marked NTBR inter alia on the grounds that there is ongoing disputes between Ravi Arya Group and Pawan Arya Group and that the Petitioners has filed company petition bearing CP No. 149 of 2017 under Sections 241 and 242 of the Companies Act, 2013,

That it is most respectfully submitted and humbly prayed before this Hon'ble Court:

That this Hon'ble Court may kindly take note of the inadvertent error in processing DIR form having SRN AA8630765 and may decide the matter on merits as deem fit.

That this Hon'ble Court may kindly direct the Respondent to re-examine the Form DIR- 12 after giving an opportunity to the Petitioners to be heard”

From the aforesaid averments in the Affidavit, it appears that there is an inadvertent error on the part of the Respondent No.2 in accepting the DIR-12 Form submitted by the Company.

4. In view of the aforesaid, the order of acceptance of Form DIR-12 by the Respondent No.2-Registrar of Companies in SRN No.AA8630765 is quashed and set aside.

5. Needless to state, that the ROC to decide Application, if any, filed on its own merits after hearing all the parties.

6. The Petition is allowed and disposed off in the aforesaid terms.

7. In view of the disposal of the Petition, nothing survives for further consideration in the Interim Applications. The same are also disposed off.

(DR. NEELA GOKHALE, J.) (REVATI MOHITE DERE, J.)