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

+ **RFA(OS) 23/2025**

M/S OCKLEAF DEVELOPERS PVT. LTD.Appellant

Through: Mr.Ashok Gurnami, Dr.Manish Aggarwal, Ms.Priyanka Verma, Mr.Amit Ambawat, Ms.Sheena Sukhija, Mr.Abhishek Singh & Ms.Anoushka Bhattacharya, Advs.

versus

RAM AVTAR AGGARWAL (DECEASED) THROUGH LRS & ORS.Respondents

Through: Mr.Suhail Khan, Mr.Farid Ahmed Nizami , Mr.Vishal Raj Sehijpal & Ms.Vratika Mittal, Advs. for R-1 & R-2

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE RENU BHATNAGAR

ORDER

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29.04.2025

CM APPL. 25319/2025 (Exemption)

1. Allowed, subject to all just exceptions.

RFA(OS) 23/2025 & CM APPL. 25320/2025, CM APPL. 25321/2025, CM APPL. 25322/2025

2. This appeal has been filed challenging the Judgment dated 16.12.2024 passed by the learned Single Judge of this Court in CS(OS) 229/2023.

3. The learned counsel for the respondent nos.1 and 2, who



appears on advance notice of this appeal, challenges the very maintainability of the present appeal by contending that the name of the appellant company has been struck off from the Registrar of Companies *vide* Notice dated 08.08.2018. He submits that, therefore, there is no company in existence in the name of the appellant as on today.

4. The learned counsel for the appellant, on the other hand, submits that the order of striking off of the name of the company from the Registrar of Companies has been challenged in the form of an appeal, which is pending adjudication before the learned National Company Law Tribunal ('NCLT'). He submits that the appeal be adjourned *sine die*, awaiting the outcome of the said appeal.

5. We are not impressed with the submissions made by the learned counsel for the appellant. As on today, there is no company by the name of the appellant, therefore, the appeal is not maintainable. In case, the appellant is to succeed in its appeal before the learned NCLT, it shall be open to the appellant to revive this appeal.

6. For the present, the appeal along with the pending applications, is dismissed as being not maintainable.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

APRIL 29, 2025/sg/SJ

[Click here to check corrigendum, if any](#)