
(2018) 02 DEL CK 0640

In the Delhi High Court

Case No : Civil Writ Petition No. 1851 Of 2018, Civil Miscellaneous No. 7722 Of 2018

Rajiv Gaur & Anr

APPELLANT

Vs

Union Of India & Anr

RESPONDENT

Date of Decision : 27-02-2018

Acts Referred:

Citation : (2018) 02 DEL CK 0640

Hon'ble Judges : Rajiv Shakdher, J

Bench : Single Bench

Advocate : Syed Asif Iqbalk, Parmesh Bali, Bhagvan Swarup Shukla, Suraj Kumar

Judgement

Rajiv Shakdher, J

1. Issue notice. Mr. Shukla accepts notice on behalf of respondent no.1.

2. In this case, the petitioners's disqualification occurred on account of the name of Shamoga Valley Resorts Pvt. Ltd. (in short 'SVRL')

being struck off from the Register of Companies.

3. It appears that the petitioners have had, in the past, disputes with other directors on the Board of SVRL, namely, Mr. Ajay Chaudhary, Mr. Sanjay

Chaudhary and Mr. Naresh Thakur and his wife. Though the disputes appeared to have been settled qua these persons, I am informed that the

petitioners did not want to continue their engagement with SVRL.

4. It is contended on behalf of the petitioners that they are also directors on the Boards of other companies which are active and fully functional.

4.1 The submission, therefore, is that the inclusion of the name of the petitioners in the list of directors disqualified for Financial Years 2014 to 2016,

i.e. (annexure P-1) is impacting their role as directors in those companies which are active and functional.

4.2 The details of these companies have been provided in the petition.

5. Mr. Shukla, who appears on an advance notice says that he would have to take instructions in the matter since the petitioners do not wish to

continue their engagement with SVRL.

6. In these circumstances, renotify the matter on 16.5.2018. By which time, Mr. Shukla will file a counter affidavit on behalf of the respondents.

7. In the meanwhile, the operation of the impugned list i.e., (annexure P-1) insofar as it includes the name of the petitioners is stayed till 31.3.2018.

8. In order to facilitate the petitioners functioning as directors qua active and functional companies respondents will re-activate the petitionersâ??

DIN & DSC. This facility is given to the petitioners only till 31.3.2018.

9. By which time, I am told the Division Bench No.1 would have heard the matter pending before it which deals with a similar issue.