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Reserved on 14/27.11.2019

Delivered on 16.01.2020

Court No. - 34

1. **Case :-** WRIT - C No. - 12498 of 2019

Petitioner :- Jai Shankar Agrahari

Respondent :- Union Of India And Another

Counsel for Petitioner :- Anshul Kumar Singhal, Chandan Agarwal

Counsel for Respondent :- Sanjay Kumar Yadav, Prashant Singh Som,
Sanjay Kumar Yadav, Neeru

2. **Case :-** WRIT - C No. - 15270 of 2018

Petitioner :- Gurnam Singh And Another

Respondent :- Registrar Of Companies And 2 Others

Counsel for Petitioner :- Pavan Kishore

Counsel for Respondent :- A.S.G.I.

3. **Case :-** WRIT - C No. - 34503 of 2018

Petitioner :- Niraj Agrawal And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Anoop Trivedi, Abhinav Gaur

Counsel for Respondent :- A.S.G.I., Narendra Singh

4. **Case :-** WRIT - C No. - 36453 of 2018

Petitioner :- Isha Sachdeva

Respondent :- Union Of India And Another

Counsel for Petitioner :- Chandan Agarwal, Anshul Kumar Singhal

Counsel for Respondent :- Gyan Prakash, Sanjay Kumar Yadav

5. **Case :-** WRIT - C No. - 43177 of 2018

Petitioner :- Avinash Singh And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Krishna Dev Vyas, Ram M. Kaushik

Counsel for Respondent :- Sanjay Kumar Om

6. **Case :-** WRIT - C No. - 1189 of 2019

Petitioner :- Kuldeep Singh

Respondent :- Union Of India And Another

Counsel for Petitioner :- Anshul Kumar Singhal, Chandan Agarwal

Counsel for Respondent :- A.S.G.I., Sanjay Kumar Yadav

7. **Case :-** WRIT - C No. - 1407 of 2019

Petitioner :- Surender Kumar

Respondent :- Union Of India And Another

Counsel for Petitioner :- Chandan Agarwal, Anshul Kumar Singhal

Counsel for Respondent :- A.S.G.I., Sanjay Kumar Yadav

8. Case :- WRIT - C No. - 2469 of 2019

Petitioner :- Ranvijay Singh

Respondent :- Union Of India And Another

Counsel for Petitioner :- Udai Chandani

Counsel for Respondent :- A.S.G.I.,Sanjay Kumar Yadav

9. Case :- WRIT - C No. - 2473 of 2019

Petitioner :- Rashid Khan

Respondent :- Union Of India And Another

Counsel for Petitioner :- Udai Chandani

Counsel for Respondent :- A.S.G.I.,Gyan Prakash,Sanjay Kumar Yadav

10. Case :- WRIT - C No. - 12494 of 2019

Petitioner :- Manjeet Singh

Respondent :- Union Of India And Another

Counsel for Petitioner :- Rohit Nandan Pandey

Counsel for Respondent :- Ravi Prakash Srivastava

11. Case :- WRIT - C No. - 12497 of 2019

Petitioner :- Sameer Munshi

Respondent :- Union Of India And Another

Counsel for Petitioner :- Rohit Nandan Pandey

Counsel for Respondent :- Gyan Prakash,Gyan Prakash,Sanjay Kumar Yadav

12. Case :- WRIT - C No. - 12502 of 2019

Petitioner :- Arvind Kumar Dwivedi

Respondent :- Union Of India And Another

Counsel for Petitioner :- Anshul Kumar Singhal,Chandan Agarwal

Counsel for Respondent :- Sanjay Kumar Yadav,Sanjay Kumar Yadav

13. Case :- WRIT - C No. - 12684 of 2019

Petitioner :- Omar Mukhtar Husain

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vipin Kumar Kushwaha,Nishant Mishra

Counsel for Respondent :- Om Prakash Gupta

14. Case :- WRIT - C No. - 12739 of 2019

Petitioner :- Krishna Chandra Gupta And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Krishna Dev Vyas

Counsel for Respondent :- A.S.G.I.,Purnendu Kumar Singh

15. Case :- WRIT - C No. - 12743 of 2019

Petitioner :- Sangita Verma

Respondent :- Union Of India And Another

Counsel for Petitioner :- Krishna Dev Vyas

Counsel for Respondent :- A.S.G.I.,Purnendu Kumar Singh

16. Case :- WRIT - C No. - 12824 of 2019

Petitioner :- Atul Singh Kumar

Respondent :- Union Of India And Another

Counsel for Petitioner :- Durgesh Kumar Tiwari,Gaurav Dwivedi

Counsel for Respondent :- A.S.G.I.,Rajesh Tripathi

17. Case :- WRIT - C No. - 12935 of 2019

Petitioner :- Rajesh Ahuja And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Yash Tandon

Counsel for Respondent :- A.S.G.I.,Manoj Kumar Singh

18. Case :- WRIT - C No. - 13063 of 2019

Petitioner :- Ruchir Pandey And Another

Respondent :- The Union Of India And Another

Counsel for Petitioner :- Ravinath Tiwari

Counsel for Respondent :- A.S.G.I.,Sanjay Kumar Yadav,S0253

19. Case :- WRIT - C No. - 13072 of 2019

Petitioner :- Deepika Bali And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vageesh Pandey,Naresh Chandra Tripahti,Suchita Tripathi

Counsel for Respondent :- A.S.G.I.,Gyan Prakash,Sanjay Kumar Yadav

20. Case :- WRIT - C No. - 13593 of 2019

Petitioner :- Deepak Kumar Maheshwari

Respondent :- Union Of India And Another

Counsel for Petitioner :- Udai Chandani

Counsel for Respondent :- A.S.G.I.,Gyan Prakash,Sanjay Kumar Yadav

21. Case :- WRIT - C No. - 14554 of 2019

Petitioner :- Vipin Kumar Chaudhary And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vageesh Pandey

Counsel for Respondent :- A.S.G.I.,Avijit Saxena

22. Case :- WRIT - C No. - 14557 of 2019

Petitioner :- Vishnu Sharma And 2 Others

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vageesh Pandey

Counsel for Respondent :- A.S.G.I.

23. Case :- WRIT - C No. - 15854 of 2019

Petitioner :- Ashish Tripathi

Respondent :- Union Of India And Another
Counsel for Petitioner :- Durgesh Kumar Tiwari,Gaurav Dwivedi
Counsel for Respondent :- Manu Vardhana

24. Case :- WRIT - C No. - 16359 of 2019
Petitioner :- Alok Singh
Respondent :- Union Of India And Another
Counsel for Petitioner :- Chandan Agarwal,Anshul Kumar Singhal
Counsel for Respondent :- A.S.G.I.,Krishna Agarawal

25. Case :- WRIT - C No. - 17328 of 2019
Petitioner :- Sayeed Khan
Respondent :- Union Of India And 2 Others
Counsel for Petitioner :- Abhinav Mehrotra,Satya Vrata Mehrotra
Counsel for Respondent :- A.S.G.I.,Manu Vardhana

26. Case :- WRIT - C No. - 17405 of 2019
Petitioner :- Syed Mohd Iqbal
Respondent :- Union Of India And Another
Counsel for Petitioner :- Krishna Dev Vyas
Counsel for Respondent :- Sanjay Kumar Yadav

27. Case :- WRIT - C No. - 17501 of 2019
Petitioner :- Vipin Sarawat
Respondent :- Union Of India And Another
Counsel for Petitioner :- Suyash Agarwal,Ankur Agarwal
Counsel for Respondent :- A.S.G.I.,Sanjay Kumar Yadav

28. Case :- WRIT - C No. - 17508 of 2019
Petitioner :- Shashank Jain
Respondent :- Registrar Of Companies And Another
Counsel for Petitioner :- Syed Fahim Ahmed,Shahid Kazmi
Counsel for Respondent :- Sanjay Kumar Yadav

29. Case :- WRIT - C No. - 17516 of 2019
Petitioner :- Hariom Dixit
Respondent :- Registrar Of Companies Kanpur Nagar And Another
Counsel for Petitioner :- Syed Fahim Ahmed,Shahid Kazmi
Counsel for Respondent :- Sanjay Kumar Yadav,Rajesh Tripathi

30. Case :- WRIT - C No. - 17525 of 2019
Petitioner :- Amit Kumar
Respondent :- Union Of India And Another
Counsel for Petitioner :- Suyash Agarwal,Ankur Agarwal
Counsel for Respondent :- Sanjay Kumar Yadav

31. Case :- WRIT - C No. - 17557 of 2019

Petitioner :- Anil Kumar Gupta And 2 Others

Respondent :- Registrar Of Companies, Kanpur Nagar And Another

Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi

Counsel for Respondent :- Narendra Kumar Chatterjee

32. Case :- WRIT - C No. - 17610 of 2019

Petitioner :- Suresh Kumar Sahu

Respondent :- Registrar Of Companies, Kanpur Nagar And Another

Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi

Counsel for Respondent :- Manu Vardhana

33. Case :- WRIT - C No. - 17647 of 2019

Petitioner :- Anurag Yadav

Respondent :- Registrar Of Companies Kanpur Nagar And Another

Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi

Counsel for Respondent :- Arvind Kumar Goswami

34. Case :- WRIT - C No. - 17649 of 2019

Petitioner :- Raj Narain Singh

Respondent :- Union Of India And Another

Counsel for Petitioner :- Suchita Tripathi, Naresh Chandra Tripathi

Counsel for Respondent :- Manu Vardhana

35. Case :- WRIT - C No. - 17652 of 2019

Petitioner :- Vijay Shanker Pandey And 2 Other

Respondent :- Registrar Of Companies And Another

Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi

Counsel for Respondent :- Ram Dular

36. Case :- WRIT - C No. - 17664 of 2019

Petitioner :- Chanpreet Singh

Respondent :- Registrar Of Companies And Another

Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi

Counsel for Respondent :- Vinay Kumar Singh

37. Case :- WRIT - C No. - 17729 of 2019

Petitioner :- Farazur Rahman And 2 Others

Respondent :- Union Of India And Another

Counsel for Petitioner :- Chandan Agarwal, Anshul Kumar Singhal

Counsel for Respondent :- Sanjay Kumar Yadav

38. Case :- WRIT - C No. - 17834 of 2019

Petitioner :- Sumitra

Respondent :- Registrar Of Companies, Kanpur Nagar And Another

Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi

Counsel for Respondent :- Ram Dular

39. Case :- WRIT - C No. - 17843 of 2019

Petitioner :- Ankur Mittal

Respondent :- Union Of India And Another

Counsel for Petitioner :- Chandan Agarwal, Anshul Kumar Singhal

Counsel for Respondent :- Sanjay Kumar Yadav

40. Case :- WRIT - C No. - 17912 of 2019

Petitioner :- Gopal Das Agarwal

Respondent :- Union Of India And Another

Counsel for Petitioner :- Shyam Singh Somvanshi, Alok Kumar Mishra

Counsel for Respondent :- A.S.G.I., Annapurna Singh

41. Case :- WRIT - C No. - 17969 of 2019

Petitioner :- Rajendra Singh

Respondent :- Union Of India And Another

Counsel for Petitioner :- Krishna Dev Vyas

Counsel for Respondent :- A.S.G.I., Manjari Singh

42. Case :- WRIT - C No. - 17989 of 2019

Petitioner :- Gaurav Agarwal And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Shyam Singh Somvanshi, Alok Kumar Mishra

Counsel for Respondent :- A.S.G.I., Manoj Kumar Singh

43. Case :- WRIT - C No. - 18052 of 2019

Petitioner :- Brijendra Kumar Sarivastava

Respondent :- Union Of India And Another

Counsel for Petitioner :- Arun Kumar Srivastava, Sharad Kumar

Counsel for Respondent :- A.S.G.I., Harshita Rani

44. Case :- WRIT - C No. - 18054 of 2019

Petitioner :- Rajeev Bhatnagar And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Abhishek Kumar Srivastava, Virendra Kumar Srivastava

Counsel for Respondent :- A.S.G.I., Harshita Rani

45. Case :- WRIT - C No. - 18968 of 2019

Petitioner :- Shahin Anees And 2 Others

Respondent :- Registrar Of Companies, Kanpur Nagar And Another

Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi

Counsel for Respondent :- A.S.G.I., Brijesh Kumar

46. Case :- WRIT - C No. - 19011 of 2019

Petitioner :- Neeraj Verma

Respondent :- Union Of India And Another

Counsel for Petitioner :- Krishna Dev Vyas

Counsel for Respondent :- A.S.G.I.,Kunal Ravi Singh,V.K.Singh

47. Case :- WRIT - C No. - 19020 of 2019

Petitioner :- Anjani Kumar

Respondent :- Union Of India And Another

Counsel for Petitioner :- Shyam Singh Somvanshi,Alok Kumar Mishra

Counsel for Respondent :- A.S.G.I.,Sabhajeet Singh

48. Case :- WRIT - C No. - 19227 of 2019

Petitioner :- Nitin Sinha

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vipin Kumar Kushwaha

Counsel for Respondent :- A.S.G.I.,Rajesh Tripathi

49. Case :- WRIT - C No. - 19259 of 2019

Petitioner :- Som Kumar Mittal

Respondent :- Union Of India And Another

Counsel for Petitioner :- Durgesh Kumar Tiwari,Gaurav Dwivedi

Counsel for Respondent :- A.S.G.I.,Kuldeep Singh Chauhan

50. Case :- WRIT - C No. - 19273 of 2019

Petitioner :- Ajit Kumar And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Krishna Dev Vyas

Counsel for Respondent :- A.S.G.I.,Sabhajeet Singh

51. Case :- WRIT - C No. - 19278 of 2019

Petitioner :- Abhay Kumar And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Sushil Kumar Mehrotra

Counsel for Respondent :- A.S.G.I.,Chandra Prakash Yadav

52. Case :- WRIT - C No. - 19280 of 2019

Petitioner :- Anuj Pratap Yadav And Another

Respondent :- The Union Of India And Another

Counsel for Petitioner :- Ravinath Tiwari

Counsel for Respondent :- A.S.G.I.,Sabhajeet Singh

53. Case :- WRIT - C No. - 19285 of 2019

Petitioner :- Abinandan Kumar Jain And 2 Others

Respondent :- Union Of India And Another

Counsel for Petitioner :- Sushil Kumar Mehrotra

Counsel for Respondent :- A.S.G.I.,Sabhajeet Singh

54. Case :- WRIT - C No. - 19297 of 2019

Petitioner :- Kamal Chug And 3 Others

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vipin Kumar Kushwaha
Counsel for Respondent :- A.S.G.I.,Sabhajeet Singh

55. Case :- WRIT - C No. - 19315 of 2019
Petitioner :- Kailash Gupta And 2 Others
Respondent :- Union Of India And Another
Counsel for Petitioner :- Krishna Dev Vyas
Counsel for Respondent :- C.S.C.

56. Case :- WRIT - C No. - 19332 of 2019
Petitioner :- Naman Jain
Respondent :- Union Of India And Another
Counsel for Petitioner :- Sushil Kumar Mehrotra
Counsel for Respondent :- A.S.G.I.,Sabhajeet Singh

57. Case :- WRIT - C No. - 19481 of 2019
Petitioner :- Chandra Veer Singh
Respondent :- Union Of India And Another
Counsel for Petitioner :- Sujata Choudhary,Mohit Kumar Singh
Counsel for Respondent :- A.S.G.I.,Rajesh Tripathi

58. Case :- WRIT - C No. - 19930 of 2019
Petitioner :- Chaitnya Agarwal
Respondent :- Union Of India And 2 Others
Counsel for Petitioner :- Rakesh Kumar
Counsel for Respondent :- A.S.G.I.,Krishna Ji Shukla

59. Case :- WRIT - C No. - 20231 of 2019
Petitioner :- Nikhil Kukreja And Another
Respondent :- Union Of India And Another
Counsel for Petitioner :- Saumitra Dwivedi
Counsel for Respondent :- A.S.G.I.,Krishna Ji Shukla

60. Case :- WRIT - C No. - 20252 of 2019
Petitioner :- Chandra Mohan And 4 Others
Respondent :- Union Of India And Another
Counsel for Petitioner :- Nitin Chopra
Counsel for Respondent :- A.S.G.I.,Ajit Kumar Srivastava

61. Case :- WRIT - C No. - 20321 of 2019
Petitioner :- Rajesh Mehta
Respondent :- Union Of India And 2 Others
Counsel for Petitioner :- Arvind Kumar Singh
Counsel for Respondent :- A.S.G.I.,Jitendra Prasad Mishra

62. Case :- WRIT - C No. - 20434 of 2019
Petitioner :- Vipin Agrawal And 2 Others

Respondent :- Registrar Of Companies And Another
Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi
Counsel for Respondent :- A.S.G.I.,Gyan Prakash(Senior Adv.),Sanjay Kumar Yadav

63. Case :- WRIT - C No. - 20450 of 2019
Petitioner :- Syed Amir Haider Zaidi
Respondent :- Registrar Of Companies And Another
Counsel for Petitioner :- Syed Fahim Ahmed,Shahid Kazmi
Counsel for Respondent :- A.S.G.I.,Gyan Prakash(Senior Adv.),Manu Vardhana

64. Case :- WRIT - C No. - 20451 of 2019
Petitioner :- Rajeev Kumar Rajput
Respondent :- Registrar Of Companies And Another
Counsel for Petitioner :- Syed Fahim Ahmed,Shahid Kazmi
Counsel for Respondent :- A.S.G.I.,Ashutosh Srivastava,Gyan Prakash(Senior Adv.)

65. Case :- WRIT - C No. - 20455 of 2019
Petitioner :- Manorma Gupta
Respondent :- Registrar Of Companies And Another
Counsel for Petitioner :- Syed Fahim Ahmed,Shahid Kazmi
Counsel for Respondent :- A.S.G.I.,Gyan Prakash(Senior Adv.),Krishna Ji Shukla

66. Case :- WRIT - C No. - 20548 of 2019
Petitioner :- Gyan Vardhan Agarwal And 2 Others
Respondent :- Union Of India And Another
Counsel for Petitioner :- Sushmita Mukherjee,Abhijeet Mukherji
Counsel for Respondent :- A.S.G.I.,Jyotsna Srivastava

67. Case :- WRIT - C No. - 20828 of 2019
Petitioner :- Hariom Chaudhary
Respondent :- Registrar Of Companies Kanpur Nagar And Another
Counsel for Petitioner :- Raghubir Singh
Counsel for Respondent :- C.S.C.,A.S.G.I.,Smt. Neelu Devi

68. Case :- WRIT - C No. - 20831 of 2019
Petitioner :- Rajni Chaudhary
Respondent :- Registrar Of Companies And Another
Counsel for Petitioner :- Raghubir Singh
Counsel for Respondent :- C.S.C.,Neeru Devi

69. Case :- WRIT - C No. - 20932 of 2019
Petitioner :- Sharat Chandra Tripathi And 3 Others
Respondent :- Registrar Of Companies And Another

Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi

Counsel for Respondent :- A.S.G.I., Girish Kumar Srivastava

70. Case :- WRIT - C No. - 20944 of 2019

Petitioner :- Yogesh Mittal And Another

Respondent :- Registrar Of Companies And Another

Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi

Counsel for Respondent :- C.S.C., A.S.G.I., Ashutosh Kumar Misra

71. Case :- WRIT - C No. - 20987 of 2019

Petitioner :- Padam Kumar Mittal And Another

Respondent :- Registrar Of Companies And Another

Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi

Counsel for Respondent :- A.S.G.I., Sunil Kumar Srivastava

72. Case :- WRIT - C No. - 20992 of 2019

Petitioner :- Shiv Kumar Sarda

Respondent :- Registrar Of Companies Kanpur Nagar And Another

Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi

Counsel for Respondent :- A.S.G.I., Suchit Tandon

73. Case :- WRIT - C No. - 21180 of 2019

Petitioner :- Nitin Chaturvedi

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vipin Kumar Kushwaha

Counsel for Respondent :- Gyanendra Kumar Dwivedi

74. Case :- WRIT - C No. - 21214 of 2019

Petitioner :- Mahesh Chand Agarwal

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vipin Kumar Kushwaha

Counsel for Respondent :- Raj Kumari Devi

75. Case :- WRIT - C No. - 21223 of 2019

Petitioner :- Hana Khan

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vipin Kumar Kushwaha

Counsel for Respondent :- A.S.G.I.

76. Case :- WRIT - C No. - 21248 of 2019

Petitioner :- Meesam Ali Khan

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vipin Kumar Kushwaha

Counsel for Respondent :- Sunil Mishra

77. Case :- WRIT - C No. - 21249 of 2019

Petitioner :- Saiyada Ali Khan And 2 Others

Respondent :- Union Of India And Another
Counsel for Petitioner :- Vipin Kumar Kushwaha
Counsel for Respondent :- Suresh Chandra Mishra

78. **Case :-** WRIT - C No. - 21309 of 2019
Petitioner :- Pushpa Chaturvedi And Another
Respondent :- Union Of India And 2 Others
Counsel for Petitioner :- Rakesh Kumar
Counsel for Respondent :- N.K.Chaterjee

79. **Case :-** WRIT - C No. - 21445 of 2019
Petitioner :- Nisha Sharma
Respondent :- Union Of India And Another
Counsel for Petitioner :- Udai Chandani
Counsel for Respondent :- A.S.G.I.,Praveen Kumar Srivastava

80. **Case :-** WRIT - C No. - 21555 of 2019
Petitioner :- Linda Diane Cooper And Another
Respondent :- Union Of India And Another
Counsel for Petitioner :- Taniya Pandey,Ishan Deo Giri
Counsel for Respondent :- Archit Mehrotra

81. **Case :-** WRIT - C No. - 21699 of 2019
Petitioner :- Gauravi Dwivedi And Another
Respondent :- Union Of India And Another
Counsel for Petitioner :- Vipin Kumar Kushwaha
Counsel for Respondent :- A.S.G.I.,Bhanu Prakash Singh

82. **Case :-** WRIT - C No. - 21935 of 2019
Petitioner :- Saket Uberoi
Respondent :- Registrar Of Companies Kanpur Nagar And Another
Counsel for Petitioner :- Syed Fahim Ahmed,Shahid Kazmi
Counsel for Respondent :- A.S.G.I.,Praveen Kumar Srivastava

83. **Case :-** WRIT - C No. - 22075 of 2019
Petitioner :- Shakti Singh
Respondent :- Union Of India And Another
Counsel for Petitioner :- Vageesh Pandey
Counsel for Respondent :- A.S.G.I.

84. **Case :-** WRIT - C No. - 22231 of 2019
Petitioner :- Abdul Hasnain Siddiqui
Respondent :- Union Of India And Another
Counsel for Petitioner :- Manvendra Narain Pathak
Counsel for Respondent :- Yogendra Kumar

85. **Case :-** WRIT - C No. - 22387 of 2019

Petitioner :- Vijay Kumar Gupta

Respondent :- Union Of India And Another

Counsel for Petitioner :- Alok Kumar Mishra,Shyam Singh Somvanshi

Counsel for Respondent :- Anupam Kumar

86. Case :- WRIT - C No. - 22395 of 2019

Petitioner :- Manisha Vaisli

Respondent :- Union Of India And Another

Counsel for Petitioner :- Alok Kumar Mishra,Shyam Singh Somvanshi

Counsel for Respondent :- Varun Kumar Srivastava

87. Case :- WRIT - C No. - 22400 of 2019

Petitioner :- Yogesh Kumar Upadhyay

Respondent :- Union Of India And Another

Counsel for Petitioner :- Alok Kumar Mishra,Shyam Singh Somvanshi

Counsel for Respondent :- Ashutosh Kumar Srivastava

88. Case :- WRIT - C No. - 22475 of 2019

Petitioner :- Neeraj Bhasin And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vageesh Pandey

Counsel for Respondent :- Sanjay Kumar Om

89. Case :- WRIT - C No. - 22481 of 2019

Petitioner :- Madan Pal Singh

Respondent :- Union Of India And Another

Counsel for Petitioner :- Shyam Singh Somvanshi,Alok Kumar Mishra

Counsel for Respondent :- Ankur Goyal

90. Case :- WRIT - C No. - 22560 of 2019

Petitioner :- Alok Kumar Singh And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Ujjawal Satsangi

Counsel for Respondent :- Shabhajit Singh

91. Case :- WRIT - C No. - 22661 of 2019

Petitioner :- Mohd. Arif

Respondent :- Union Of India And Another

Counsel for Petitioner :- Udai Chandani

Counsel for Respondent :- A.S.G.I.,Ravi Prakash Singh

92. Case :- WRIT - C No. - 22877 of 2019

Petitioner :- Kunwar Ambar Singh

Respondent :- Union Of India And Another

Counsel for Petitioner :- Jagriti Singh,Dhananjay Kumar Mishra

Counsel for Respondent :- A.S.G.I.

93. Case :- WRIT - C No. - 23107 of 2019

Petitioner :- Rishabh Krishna Sachan

Respondent :- Union Of India And Another

Counsel for Petitioner :- Shubham Agarwal

Counsel for Respondent :- A.S.G.I., Anita Srivastava

94. Case :- WRIT - C No. - 23447 of 2019

Petitioner :- Sharda Yadav And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Udai Chandani

Counsel for Respondent :- Sandeep Kumar Srivastava

95. Case :- WRIT - C No. - 23606 of 2019

Petitioner :- Tanya Jaspal

Respondent :- Registrar Of Companies And Another

Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi

Counsel for Respondent :- A.S.G.I.

96. Case :- WRIT - C No. - 23767 of 2019

Petitioner :- Neeta Swarup

Respondent :- Union Of India And Another

Counsel for Petitioner :- Ankur Agarwal, Suyash Agarwal

Counsel for Respondent :- A.S.G.I., Neeru Devi

97. Case :- WRIT - C No. - 23905 of 2019

Petitioner :- Amit Pratap Singh

Respondent :- The Union Of India And Another

Counsel for Petitioner :- Ravinath Tiwari

Counsel for Respondent :- A.S.G.I., Ved Mani Tiwari

98. Case :- WRIT - C No. - 23916 of 2019

Petitioner :- Pawan Agarwal And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vipin Kumar Kushwaha

Counsel for Respondent :- A.S.G.I., Sanjay Kumar Om

99. Case :- WRIT - C No. - 23932 of 2019

Petitioner :- Sarita Mishra

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vipin Kumar Kushwaha

Counsel for Respondent :- A.S.G.I., Brijesh Kumar Srivastava

100. Case :- WRIT - C No. - 23936 of 2019

Petitioner :- Aparna Mishra

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vipin Kumar Kushwaha

Counsel for Respondent :- A.S.G.I., Krishna Ji Shukla

101. Case :- WRIT - C No. - 23987 of 2019

Petitioner :- Karan Chand Jain And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vipin Kumar Kushwaha

Counsel for Respondent :- A.S.G.I.,Anupam Kumar

102. Case :- WRIT - C No. - 24196 of 2019

Petitioner :- Rakesh Kumar Verma

Respondent :- Union Of India And Another

Counsel for Petitioner :- Nishant Mehrotra,Mahendra Kumar Maurya

Counsel for Respondent :- Ankur Goyal

103. Case :- WRIT - C No. - 24240 of 2019

Petitioner :- Masood Alam

Respondent :- Union Of India And Another

Counsel for Petitioner :- Udai Chandani

Counsel for Respondent :- A.S.G.I.,Sanjay Kumar Yadav

104. Case :- WRIT - C No. - 24595 of 2019

Petitioner :- Rekha Tripathi And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Udai Chandani

Counsel for Respondent :- A.S.G.I., Joytsana Srivastava

105. Case :- WRIT - C No. - 24618 of 2019

Petitioner :- Mahaviri Devi

Respondent :- Union Of India And Another

Counsel for Petitioner :- Anurag Vajpeyi,Krishna Dev Vyas

Counsel for Respondent :- A.S.G.I.,Sanjay Kumar Yadav

106. Case :- WRIT - C No. - 26529 of 2019

Petitioner :- Sumit Verma

Respondent :- Union Of India And Another

Counsel for Petitioner :- Suchita Tripathi,Naresh Chandra Tripathi

Counsel for Respondent :- Sanjay Kumar Yadav

107. Case :- WRIT - C No. - 26775 of 2019

Petitioner :- Anup Kumar Pachauri And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vipin Kumar Kushwaha

Counsel for Respondent :- Sanjay Kumar Yadav

108. Case :- WRIT - C No. - 28569 of 2019

Petitioner :- Rakesh Pathak

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vipin Kumar Kushwaha

Counsel for Respondent :- A.S.G.I.,Brijesh Kumar Srivastava

109. Case :- WRIT - C No. - 33232 of 2019

Petitioner :- Sachin Kapoor And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Suchita Tripathi

Counsel for Respondent :- A.S.G.I.,Manu Vardhana

110. Case :- WRIT - C No. - 33354 of 2019

Petitioner :- Sajan Kapoor And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Suchita Tripathi

Counsel for Respondent :- A.S.G.I.,Vinay Kumar Singh

111. Case :- WRIT - C No. - 33355 of 2019

Petitioner :- Mayank Mehra

Respondent :- Union Of India And Another

Counsel for Petitioner :- Suchita Tripathi

Counsel for Respondent :- A.S.G.I.,Sanjay Kumar Yadav

112. Case :- WRIT - C No. - 33595 of 2019

Petitioner :- Aditya Narayan Pande And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vipin Kumar Kushwaha

Counsel for Respondent :- A.S.G.I.

113. Case :- WRIT - C No. - 35065 of 2019

Petitioner :- Kamla Ram Sharma

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vipin Kumar Kushwaha

Counsel for Respondent :- A.S.G.I.,S.K. Srivastava

114. Case :- WRIT - C No. - 24942 of 2019

Petitioner :- Sanjesh Yadav

Respondent :- Union Of India And Another

Counsel for Petitioner :- Shivendra Bahadur

Counsel for Respondent :- A.S.G.I.,Ishan Shishu

115. Case :- WRIT - C No. - 25079 of 2019

Petitioner :- Shweta Dubey

Respondent :- Union Of India And Another

Counsel for Petitioner :- Shyam Singh Somvanshi,Alok Kumar Mishra

Counsel for Respondent :- Amrish Sahai

116. Case :- WRIT - C No. - 25120 of 2019

Petitioner :- Laxmi Kant And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Alok Kumar Mishra,Shyam Singh Somvanshi

Counsel for Respondent :- Amrish Sahai

117. Case :- WRIT - C No. - 25321 of 2019

Petitioner :- Kshitij Arora

Respondent :- Union Of India And Another

Counsel for Petitioner :- Rohit Nandan Pandey

Counsel for Respondent :- Narendra Kumar Chatterjee

118. Case :- WRIT - C No. - 25336 of 2019

Petitioner :- Praveen Kumar And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Mehul Khare

Counsel for Respondent :- Shashi Prakash Rai

119. Case :- WRIT - C No. - 25462 of 2019

Petitioner :- Dileep Singh

Respondent :- Union Of India And Another

Counsel for Petitioner :- Dharmendra Kumar Gupta, Kiran Gupta

Counsel for Respondent :- Ajit Kumar Srivastava

120. Case :- WRIT - C No. - 25646 of 2019

Petitioner :- Vishesh Tyagi

Respondent :- Union Of India And Another

Counsel for Petitioner :- Srijan Mehrotra, Anuj Kumar

Counsel for Respondent :- A.S.G.I., Girish Kumar Srivastava

121. Case :- WRIT - C No. - 25801 of 2019

Petitioner :- Harsh Vardhan Samor

Respondent :- Union Of India And Another

Counsel for Petitioner :- Rahul Jain, Anurup Dutta

Counsel for Respondent :- A.S.G.I., Raman Saxena

122. Case :- WRIT - C No. - 25938 of 2019

Petitioner :- Mr. Mainak Aggarwal

Respondent :- Union Of India And Another

Counsel for Petitioner :- Urvashi Jain, Abhay Kumar Singh, Manu Ghildyal

Counsel for Respondent :- Ashutosh Kumar Mishra

123. Case :- WRIT - C No. - 26021 of 2019

Petitioner :- Shivam Barnwal

Respondent :- The Union Of India And Another

Counsel for Petitioner :- Ravinath Tiwari

Counsel for Respondent :- A.S.G.I., Ishan Shishu

124. Case :- WRIT - C No. - 26042 of 2019

Petitioner :- Syed Naved Faisal And 3 Others

Respondent :- Union Of India And Another

Counsel for Petitioner :- Dinesh Kumar Rai

Counsel for Respondent :- Rajshekhar Srivastava

125. **Case :-** WRIT - C No. - 26059 of 2019

Petitioner :- Jitendra Kumar And Another

Respondent :- The Union Of India And Another

Counsel for Petitioner :- Ravinath Tiwari

Counsel for Respondent :- A.S.G.I.

126. **Case :-** WRIT - C No. - 26060 of 2019

Petitioner :- Sanjiv Kumar Singh And Another

Respondent :- The Union Of India And Another

Counsel for Petitioner :- Ravinath Tiwari

Counsel for Respondent :- A.S.G.I.,Praveen Kumar Srivastava

127. **Case :-** WRIT - C No. - 26104 of 2019

Petitioner :- Aryan Nagpal

Respondent :- Union Of India And Another

Counsel for Petitioner :- Durgesh Kumar Tiwari

Counsel for Respondent :- A.S.G.I.,Sabhajeet Singh

128. **Case :-** WRIT - C No. - 27609 of 2019

Petitioner :- Pooja Goyal

Respondent :- Union Of India And Another

Counsel for Petitioner :- Ankur Agarwal,Suyash Agarwal

Counsel for Respondent :- A.S.G.I.,Arvind Nath Agrawal,Bal Mukund

129. **Case :-** WRIT - C No. - 27613 of 2019

Petitioner :- Vinay Goyal

Respondent :- Union Of India And Another

Counsel for Petitioner :- Ankur Agarwal,Suyash Agarwal

Counsel for Respondent :- A.S.G.I.,Bal Mukund

130. **Case :-** WRIT - C No. - 28634 of 2019

Petitioner :- Ashok Kumar Sahu And Another

Respondent :- Registrar Of Companies Kanpur Nagar And Another

Counsel for Petitioner :- Syed Fahim Ahmed,Shahid Kazmi

Counsel for Respondent :- A.S.G.I.,G.K. Srivastava

131. **Case :-** WRIT - C No. - 28809 of 2019

Petitioner :- Akhilesh Kumar Agarwal And Antother

Respondent :- Union Of India And Another

Counsel for Petitioner :- Udai Chandani

Counsel for Respondent :- A.S.G.I.,Manu Vardhana

132. **Case :-** WRIT - C No. - 28829 of 2019

Petitioner :- Ashok Kumar Yadav

Respondent :- Union Of India And Another

Counsel for Petitioner :- Udai Chandani

Counsel for Respondent :- A.S.G.I.,Narendra Kumar Chatterjee

133. Case :- WRIT - C No. - 29297 of 2019

Petitioner :- Sanjiv Gupta And Another

Respondent :- Registrar Of Companies Kanpur Nagar And Another

Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi

Counsel for Respondent :- A.S.G.I., Sanjay Kumar Yadav

134. Case :- WRIT - C No. - 29986 of 2019

Petitioner :- Kshitij Singh And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Abhinav Gaur

Counsel for Respondent :- A.S.G.I., Krishna Ji Shukla

135. Case :- WRIT - C No. - 30053 of 2019

Petitioner :- Ashwani Kumar Singh And 3 Others

Respondent :- Registrar Of Companies And Another

Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi

Counsel for Respondent :- A.S.G.I., Amrish Sahai

136. Case :- WRIT - C No. - 30578 of 2019

Petitioner :- Varun Yadav

Respondent :- Union Of India And Another

Counsel for Petitioner :- Abhinav Gaur

Counsel for Respondent :- A.S.G.I., Krishna Ji Shukla

137. Case :- WRIT - C No. - 30842 of 2019

Petitioner :- Mayank Aggarwal And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Mehul Khare

Counsel for Respondent :- A.S.G.I.

138. Case :- WRIT - C No. - 31091 of 2019

Petitioner :- Anil Sharma And 3 Others

Respondent :- Union Of India And Another

Counsel for Petitioner :- Abhishek Kumar Srivastava, Virendra Kumar Srivastava

Counsel for Respondent :- A.S.G.I., Varun Kumar Srivastava

139. Case :- WRIT - C No. - 31124 of 2019

Petitioner :- Pankaj Rana

Respondent :- Union Of India And Another

Counsel for Petitioner :- Rohit Nandan Pandey

Counsel for Respondent :- A.S.G.I., Ram Dular

140. Case :- WRIT - C No. - 31177 of 2019

Petitioner :- Amit Saxena

Respondent :- Union Of India And Another

Counsel for Petitioner :- Rohit Nandan Pandey

Counsel for Respondent :- A.S.G.I., Arvind Nath Agrawal

141. Case :- WRIT - C No. - 31651 of 2019

Petitioner :- Rakesh Shukla

Respondent :- Registrar Of Companies And Another

Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi

Counsel for Respondent :- A.S.G.I., Vinay Kumar Singh

142. Case :- WRIT - C No. - 31689 of 2019

Petitioner :- Manoj Jitendra Singh

Respondent :- Union Of India And Another

Counsel for Petitioner :- Lal Mani Tripathi

Counsel for Respondent :- A.S.G.I., Krishna Ji Shukla

143. Case :- WRIT - C No. - 31698 of 2019

Petitioner :- Praveen Sharma And Another

Respondent :- Registrar Of Companies And Another

Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi

Counsel for Respondent :- A.S.G.I., Brijesh Kumar Srivastava

144. Case :- WRIT - C No. - 31725 of 2019

Petitioner :- Munni Devi Jaiswal And Another

Respondent :- Registrar Of Companies And Another

Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi

Counsel for Respondent :- A.S.G.I.

145. Case :- WRIT - C No. - 31845 of 2019

Petitioner :- Naveen Tripathi

Respondent :- Union Of India And Another

Counsel for Petitioner :- Udai Chandani

Counsel for Respondent :- A.S.G.I., Surendra Nath Chauhan

146. Case :- WRIT - C No. - 31923 of 2019

Petitioner :- Dinesh Kumar Agrawal

Respondent :- Union Of India And Another

Counsel for Petitioner :- Shubham Agarwal

Counsel for Respondent :- A.S.G.I., R.P.S. Chauhan

147. Case :- WRIT - C No. - 31967 of 2019

Petitioner :- Rajat Rajput

Respondent :- Registrar Of Companies And Another

Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi

Counsel for Respondent :- C.S.C., Mukteshwar Upadhyay

148. Case :- WRIT - C No. - 32004 of 2019

Petitioner :- Satish Chandra

Respondent :- Union Of India And Another

Counsel for Petitioner :- Arnab Banerji, Vivek Ratan Agrawal

Counsel for Respondent :- A.S.G.I., Sanjay Kumar Om

149. Case :- WRIT - C No. - 32330 of 2019

Petitioner :- Baburam

Respondent :- Union Of India And Another

Counsel for Petitioner :- Rohit Nandan Pandey

Counsel for Respondent :- A.S.G.I.,Arvind Nath Agrawal

150. Case :- WRIT - C No. - 32569 of 2019

Petitioner :- Rakesh Kumar

Respondent :- Registrar Of Companies And Another

Counsel for Petitioner :- Syed Fahim Ahmed,Shahid Kazmi

Counsel for Respondent :- A.S.G.I.,Amrish Sahai

151. Case :- WRIT - C No. - 32645 of 2019

Petitioner :- Amit Mohan Srivastava

Respondent :- Union Of India And Another

Counsel for Petitioner :- Ravinath Tiwari

Counsel for Respondent :- A.S.G.I.,Annapurna Singh

152. Case :- WRIT - C No. - 33707 of 2019

Petitioner :- Mr. Pawan Kumar

Respondent :- Registrar Of Companies And Another

Counsel for Petitioner :- Syed Fahim Ahmed,Shahid Kazmi

Counsel for Respondent :- A.S.G.I.,Vinay Kumar Singh

153. Case :- WRIT - C No. - 34283 of 2019

Petitioner :- Satya Bhushan Shrichand Gola

Respondent :- Union Of India And Another

Counsel for Petitioner :- Vipin Kumar Kushwaha

Counsel for Respondent :- A.S.G.I.,Archit Mehrotra

154. Case :- WRIT - C No. - 34563 of 2019

Petitioner :- Shashank Mishra And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Shyam Singh Somvanshi,Alok Kumar Mishra

Counsel for Respondent :- A.S.G.I.,Jai Krishna Narain Sharma

155. Case :- WRIT - C No. - 34582 of 2019

Petitioner :- Kamal Balani And Anotherr

Respondent :- Union Of India And Another

Counsel for Petitioner :- Shyam Singh Somvanshi,Alok Kumar Mishra

Counsel for Respondent :- A.S.G.I.,Jai Krishna Narain Sharma

156. Case :- WRIT - C No. - 35479 of 2019

Petitioner :- Madhu Garg

Respondent :- Union Of India And Another

Counsel for Petitioner :- Mohd Nasir

Counsel for Respondent :- A.S.G.I.,Sabhajeet Singh

157. **Case :-** WRIT - C No. - 35681 of 2019

Petitioner :- Amit Goel

Respondent :- Union of India And Another

Counsel for Petitioner :- Bindu Kumari, Mohd Nasir

Counsel for Respondent :- A.S.G.I., Ashish Kumar

158. **Case :-** WRIT - C No. - 35792 of 2019

Petitioner :- Anil Kumar Verma And 2 Others

Respondent :- Union Of India And Another

Counsel for Petitioner :- Krishna Dev Vyas

Counsel for Respondent :- A.S.G.I., Ashutosh Kumar Mishra

159. **Case :-** WRIT - C No. - 36608 of 2019

Petitioner :- Chandra Bhushan Pandey And Another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Amit Verma

Counsel for Respondent :- A.S.G.I., Manjari Singh

160. **Case :-** WRIT - C No. - 38175 of 2019

Petitioner :- Pushpendra Kumar Awasthi And 2 Others

Respondent :- Registrar Of Companies And Another

Counsel for Petitioner :- Syed Fahim Ahmed, Shahid Kazmi

Counsel for Respondent :- A.S.G.I.

161. **Case :-** WRIT - C No. - 19282 of 2019

Petitioner :- Krishna Kumar Bhardwaj and another

Respondent :- Union Of India And Another

Counsel for Petitioner :- Ravinath Tiwari

Counsel for Respondent :- A.S.G.I., Sabhajeet Singh

Hon'ble Sudhir Agarwal, J.

Hon'ble Rajeev Misra, J.

(Delivered by Hon'ble Sudhir Agarwal, J)

1. In all these writ petitions, petitioners were Directors of various Companies and have been declared disqualified to continue as Directors of all the Companies in which they were Directors, under Section 164 (2) of Companies Act, 2013 (hereinafter referred to as “Act, 2013”), for a period of five years. Petitioners, therefore, have challenged declaration made by Registrar of Companies, U. P, Kanpur (hereinafter referred to as “ROC”) publishing notice of such disqualification of petitioners specifying the period of five years and in most cases it is from 01.11.2016 to 31.10.2021 while in some cases period of five years varies but total period of disqualification is five years. Petitioners have prayed for quashing of aforesaid declaration

made by ROC. They have also sought a mandamus directing respondents to reactivate petitioners' Director Identification Number (hereinafter referred to as 'DIN') and restore their names on the Roll of Directors.

2. The issues raised in all these writ petitions are common and facts are also similar, hence as agreed by learned counsel appearing in all these writ petitions for respective parties, all these petitions have been heard together and are being decided by this common judgment.

3. For the purpose of delving into pleadings and facts, with consent of parties, we have taken Writ Petition No.12498 of 2019 (Jai Shankar Agrahari vs. Union of India and another) as the leading 'writ petition' and this writ petition hereinafter would be referred to as “WP-I”.

4. W.P.-I has been filed by sole petitioner Jai Shankar Agrahari praying for issuance of writ of certiorari quashing declaration made by ROC under Section 164 (2) of Act, 2013 disqualifying him as Director of Companies from 01.11.2016 to 31.10.2020 i.e. for a period of five years. Petitioner Jai Shankar Agrahari has also prayed for issuing a writ of mandamus directing respondents to reactivate petitioner's DIN No.03266735 and DSC number and restore his name on the Rolls of Director.

5. Petitioner, Jai Shankar Agrahari, was Director of various Companies, (Private and Public) and details thereof are as under:

Sl.No.	Names of Company	Nature:whether 'Public' or 'Private'	Date of Incorporation
1.	Kashi Gramin Vikas Mutual Benefit Nidhi Limited	Public	11.03.2016
2.	Green Valley Natural Core India Private Limited	Private	21.11.2013
3.	Ujjawalkashi Micro Credit Foundation	Private	20.12.2016
4.	Sansar Mart Retails Private Limited	Private	16.04.2012
5.	Sansar Core Retails Business Private Limited	Private	18.07.2012
6.	Sansar Agrotech Land Developers Company Limited	Public	19.11.2010

6. The case set up by petitioner of W.P.1 is that all the aforesaid Companies were registered with ROC. Three Companies namely, Sansar

Agrotech Land Developers Company Limited; Sansar Core Retails Business Private Limited; and, Sansar Mart Retails Private Limited, committed default by not submitting financial statements and returns for a consecutive period of three years. Petitioner thus stood disqualified to act as “Director” under Section 164 (2) of Act, 2013. This disqualification has been applied to all other Companies in which petitioner was “Director” though those Companies are/ were not in default. Before disqualifying petitioner as “Director” under Section 164 (2) of Act, 2013, no show cause notice or opportunity has been given, facts have not been verified and in a mechanical manner, petitioner's status has been shown as a “disqualified Director” and his DIN No.03266735 has been made inactive and/ or suspended. Section 164 (2) (a), which not only disqualifies a “Director” in respect of Defaulting Companies but extends the same to other Companies which have not committed default, as such it is irrational and unreasonable. It is in violation of fundamental right of petitioner under Article 19 (1) (g) of the Constitution therefore, Section 164 (2) (a) of Act, 2013 is arbitrary and ultra vires of the Constitution. It has no nexus with the objective sought to be achieved and has the effect of penalizing management of the Companies which are active, having not committed any default rendering their functioning difficult by disqualifying “Director” of those Companies only on the ground that those Directors are also holding similar Office in other Companies which have committed default attracting disqualification under Section 164 (2) of Act, 2013.

7. It is also pleaded that Section 164 of Act, 2013 came into force on 01.04.2014 i.e. in the Fiscal Year 2014-2015 while Act, 2013 came into force on 12.09.2013. Extending aforesaid provision to earlier events or transactions i.e. prior to 01.04.2014, amounts to making it retrospective which is not permissible, and therefore, bad in law. Earlier a similar provision existed i.e., Section 274 (1) (g) of Companies Act, 1956 (hereinafter referred to as 'Act, 1956') but thereunder there was no provision with regard to automatic vacation of Office. Section 164 of Act, 2013 is much wider than Section 274 of Act, 1956, hence, Section 164 of Act, 2013 will not apply to the transactions which have taken place before 01.04.2014. For the purpose of

cancellation, surrender or deactivation of DIN, provision has been made in Rule 11 of Companies (Appointment and Qualification of Directors) Rules, 2014 (hereinafter referred to as “Rules, 2014”) but none of the conditions mentioned therein are attracted in a case covered by Section 164 (2); therefore, deactivation of DIN No.03266735 of petitioner is patently illegal and without jurisdiction. At no stage any show cause notice was given to petitioner, no opportunity of hearing was afforded and therefore, impugned order of disqualification as Director of petitioner in all the Companies and deactivation of petitioner's DIN No. 03266735 is in violation of principles of natural justice and patently illegal. Disqualification of a person as a “Director” for all Companies and suspension or deactivation of DIN so as to render such person incapable to function as Director of other Companies where there is no such default, is harsh, causes serious prejudice and penal in nature; thus such a provision has to be read strictly and only when a case comes within all the four corners, such a provision can be resorted to and not otherwise.

8. Before proceeding further, we may notice at this stage that though in the pleadings and grounds taken in W.P.-1, it is said that Section 164 (2) (a) of Act, 2013 is illegal, arbitrary and ultra vires, but no relief has been sought so as to declare the aforesaid provision, ultra vires.

9. On behalf of both respondents, i.e, Union of India through Secretary Ministry of Corporate Affairs and Registrar of Companies, U.P., i.e. ROC, a combined short counter affidavit has been filed which is sworn by Sri Sudhir Kapoor, Registrar of Companies. It is said that Act, 2013 lays down a stricter regime for defaulting companies with higher additional fees; Quantum of punishment has been enhanced; provision for enhanced fine in case of repeated default has been included vide Section 451; Section 164(2) provides for disqualification of Directors in case the Company has failed to file Financial Statement or Annual Return for continuous period of three years “has been made and is extended to all Companies”; Vide General Circular No.34 of 2014 an opportunity was provided to defaulting companies to make their default good by filing belated documents on payment of certain fee and

thereby avoiding prosecution etc; another scheme was launched by respondents, namely, “Condonation of Delay Scheme, 2018” commencing from 01.01.2018; in the present case ROC, Kanpur has acted under Section 164(2) and Section 167 of Act, 2013; it is the duty of “Directors” to ensure compliance of statutory requirements in respect of companies in which they are Directors; Petitioner has failed to ensure it; there is no retrospectivity given to Sections 164 or 167; similar argument has been negated by Calcutta High Court in **Nabendu Dutta and others vs. Arindam Mukherjee, 2004(55) SCL 146**; Respondents have not issued any notification or order regarding disqualification of petitioner but only identified; there is a complete failure on the part of petitioner to comply with Rule 14 of Rules, 2014; Section 164(2) is pari materia to Section 274(1)(g) of Act, 1956 and it was upheld in a similar matter by Bombay High Court in **Snowcem India Ltd. and Ors. vs Union Of India and Ors., 2005(60) SCL 50**; Gujarat High Court has also taken a similar view in **Saurashtra Cement Ltd. and Anr. vs Union Of India and Ors., 2007(75) SCL 375**; the disqualification of “Director” under Section 164 (2) is automatic, by operation of law as soon as default is committed and identified by concerned Registrar. Under Rules, 2014 which came into force on 01.04.2014, in a matter where Section 164 (2) of Act, 2013 is attracted, principles of natural justice are not attracted at all and this is what has been held by Delhi High Court in **Bharat Bhushan vs H.B. Portfolio Leasing Ltd., 1992 (74) Company Cases, 20**; Provisions of Act, 2013 have been enacted by Parliament for better implementation of Corporate governance and stricter regime for defaulting companies; Petitioner had ample notice of default committed by him and grievance with regard to lack of notice is nothing but a pretext; There is no prejudice caused to petitioner since it is only by operation of law; in any case, notices were issued to Companies and Directors in May and June, 2018 and also published in daily newspapers and thereafter those who failed to make compliance were identified and struck off on 28.08.2018; and List of “Directors” who were held disqualified for the period of 01.11.2017 to 30.10.2022 was notified by respondent-1 on 07.12.2018. Thus it is said that petitioner has no cause of

action and petition should be dismissed.

10. In all other connected writ petitions, details of Companies, Date of Incorporation and Status is given in the form of a Chart, as hereunder :

1. Writ Petition No.15270 of 2018 Petitioner-1. Gurnam Singh DIN-2128421				
Sl. No	Names of Company	Nature: whether 'Public' or 'Private'	Date of Incorporation	Status
1.	Newwaves India Estate Management Services Private Limited	Private	27.05.2008	Struck off
2.	DSSY Builders Pvt Ltd	Private	15.01.2011	Active
3.	Agarwal Infratowers Pvt Ltd	Private	14.10.2012	Active
4.	Best and Bright Property Pvt Ltd	Private	12.05.2011	Active
5.	Peerless Properties Pvt Ltd	Private	23.05.2011	Active
6.	Blue Strawberry Business Solutions Pvt Ltd	Private	16.05.2013	Active
7.	Agranate Leisure Pvt Ltd	Private	08.02.2013	Active
8.	Agranate Infra Limited	Private	06.03.2013	Active
9.	Prasantush Buildwell Pvt Ltd	Private	04.06.2013	Active
10.	Newriver Buildwell Pvt Ltd	Private	23.01.2014	Active
11.	Singh Infracore Pvt Ltd	Private	23.03.2015	Active
Petitioner-2. Jaspal Singh DIN-2128430				
1.	Newwaves India Estate Management Services Private Limited	Private	27.05.2008	Struck off
2. Writ Petition No.34503 of 2018 Petitioner-1. Dr. Niraj Agrawal DIN-00501880				
1.	Sairam Infra ventures Private Limited	Private	23.03.2012	Struck off
2.	Vatsalya Heart Centre Private	Private	14.06.2012	Active
3.	Vatsalya Institute of Medical Sciences	Private	22.12.2014	Active
4.	Vatsalya Maternity and Surgical Centre Pvt Ltd.	Private	02.04.1998	Active
5.	Vatsly Hospital and Research Center Pvt Ltd.	Private	06.12.2004	Active
6.	Vashishtha Vatsalya Real Estates LLP	LLP	20.06.2017	Active
Petitioner-2. Dr. Kritika Agrawal DIN-00501979				
1.	Sairam Infrastructures Pvt Ltd	Private	23.03.2012	Struck Off

2.	Vatsalya Institute Medical Sciences	Private	22.12.2014	Active
3.	Vatsalya Maternity and Surgical Centre Pvt Ltd.	Private	02.04.1998	Active
4.	Vatsalya Hospital and Research Center Pvt Ltd.	Private	06.12.2004	Active
5.	Vashishtha Vatsalya Real Estates LLP	LLP	20.06.2017	Active
3. Writ Petition No.36453 of 2018 Petitioner-Isha Sachdeva DIN-00754588				
1.	Topend Construction Private Limited	Private	14.02.2005	Struck Off
2.	Tushina Telecommunications Private Limited	Private	26.09.1997	Struck Off
3.	Oriental Diesels and Engineering Company Private Limited	Private	09.09.1999	Active
4. Writ Petition No.43177 of 2018 Petitioner-1. Avinash Singh DIN-02888460 Petitioner-2. Atul Singh DIN-02921472				
1.	Sheetal Infraventures Private Limited	Private	23.08.2011	Struck off
5. Writ Petition No.1189 of 2019 Petitioner- Kuldeep Singh DIN-03391328				
1.	Shri Sanwalia Ji Home Solutions Pvt Ltd	Private	10.09.2010	Struck off
2.	Shri Sanwalia Ji Home Destination Pvt Ltd	Private	18.10.2013	Active
3.	Omnis Lifecare LLP	LLP	-	Active
4.	Omnis Engineering LLP	LLP	-	Active
5.	Atra Pharmaceuticals Ltd	Public	-	Active
6.	Winston Pharmaceuticals Ltd	Public	-	Active
7.	Omnis Developers Pvt Ltd	Private	-	Active
8.	Vigorous Agency Pvt Ltd	Private	-	Active
9.	Westlike Trading Pvt Ltd	Private	-	Active
10.	Sanwalia Ji Home Destination Pvt Ltd	Private	-	Active
11.	Shri Nath Residenci Pvt Ltd	Private	-	Active
12.	Omnis Infra Power Ltd	Public	-	Active
13.	Omnis Healthcare Services Pvt Ltd	Private	-	Active
14.	Anglepaisa Consultancy Services Pvt Ltd	Private	-	Active
15.	Omnis Edu-Health Ltd	Public	-	Active
6. Writ Petition No.1407 of 2019 Petitioner- Surender Kumar DIN-02362899				
1.	Shivarita Developers Private Limited	Private	22.04.2010	Struck off
2.	JSK Multitrade India Ltd	Public	-	Active
3.	Aarav Infrastructure Pvt Ltd	Private	-	Active
4.	Hi-Rel Info Genesis Pvt Ltd	Private	-	Active
7. Writ Petition No.2469 of 2019				

Petitioner-Ranvijay Singh		DIN-05197675		
1.	Veera Infrahome Private Limited	Private	06.12.2012	Struck off
2.	One Place Infrastructures Pvt Ltd	Private	01.01.2013	Active
3.	O. P. Investorwala Services Pvt Ltd	Private	24.06.2013	Active
4.	One Place World Construction Pvt Ltd	Private	06.06.2013	Active
5.	One Place Automobiles Pvt Ltd	Private	01.01.2014	Active
6.	One place Global Trade Solutions Pvt Ltd	Private	23.07.2015	Active
7.	One Place India Sales Pvt Ltd	Private	28.10.2015	Active
8.	One Place Motion Pictures Pvt Ltd	Private	19.12.2016	Active
9.	1981 One Place Imperial Education Forum	-	14.03.2017	Active
10.	One Place Brewries & Distillers Pvt Ltd	Private	09.01.2018	Active
11.	One Place News Broadcasting Pvt Ltd	Private	04.10.2018	Active
8. Writ Petition No.2473 of 2019				
Petitioner- Rashid Khan		DIN-01384872		
1.	Veera Infrahome Pvt Ltd	Private	06.12.2012	Struck off
2.	Buddha Holidays Pvt Ltd	Private	02.04.2007	Active
9. Writ Petition No.12494 of 2019				
Petitioner- Manjeet Singh		DIN-06651509		
1.	Vedic Media Creations Private Limited	Private	23.10.2013	Struck off
2.	Manita City Motors LLP	LLP	20.12.2016	Active
10. Writ Petition No.12497 of 2019				
Petitioner- Sameer Munshi		DIN-02662621		
1.	Abeer Tea and Foods Private Limited	Private	10.10.2013	Struck off
2.	Mihama India Pvt Ltd	Private	18.10.2014	Active
11. Writ Petition No.12502 of 2019				
Petitioner- Arvind Kumar Dwivedi		DIN-03578218		
1.	Esteem Placement and Consulting Services Private Limited	Private	02.05.2012	Struck off
2.	Steem Placement and Consulting Services Pvt Ltd	Private	18.10.2018	Active
12. Writ Petition No.12684 of 2019				
Petitioner-Omar Mukhtar Husain		DIN-06360729		
1.	Tandem Builders and Promoters Private Limited	Private	19.03.2013	Struck off
2.	Protostar Infraestates Pvt Ltd	Private	16.02.2012	Active
3.	Protostar Realty Pvt Ltd	Private	10.11.2015	Active
13.Writ Petition No.12739 of 2019				
Petitioner-1 Krishna Chandra Gupta		DIN-02464827		
1.	Shyambihari Polyprint Private Limited	Private	15.07.2009	Struck off
2.	Nitin Buildcon Pvt Ltd	Private	19.11.2011	Active
3.	Gomti Industries India Pvt Ltd	Private	02.03.2012	Active

4.	Him Ketchin India Pvt Ltd	Private	17.02.2009	Active
5.	Maa Vidyavati Learning Pvt Ltd	Private	14.09.2010	Active
6.	Greenberry Nandini RKG Pvt Ltd	Private	16.09.2010	Active
7.	Tejas Infraventures Pvt Ltd	Private	01.03.2014	Active
8.	Lark Distributors Pvt Ltd	Private	27.03.2018	Active
9.	Greenberry Healthcare India Pvt Ltd	Private	24.08.2016	Active
10.	Greenberry Hotels and Residency India Pvt Ltd	Private	05.10.2011	Active
Petitioner-2 Shyam Kishan Gupta			DIN-02672711	
1.	Shyambihari Polyprint Private Limited	Private	15.07.2009	Struck off
14. Writ Petition No.12743 of 2019				
Petitioner- Sangita Verma			DIN-06465016	
1.	Ankit Infraventures Private Limited	Private	08.01.2013	Struck off
2.	Kapeeshwar Electronics Pvt Ltd	Private	08.09.2017	Active
3.	Kapeeshwar Food Products Pvt Ltd	Private	11.09.2017	Active
15.Writ Petition No.12824 of 2019				
Petitioner- Atul Singh Kumar			DIN-00963972	
1.	GCC Energy Private Limited	Private	28.06.2010	Struck off
2.	Venus Sugar Ltd	Public	26.09.2017	Active
3.	Vishwakarma Holdings Ltd	Public	17.09.2004	Active
4.	Dublin Estates Pvt Ltd	Private	30.03.2013	Active
5.	Futuristic Viniyog Ltd	Private	30.03.2013	Active
6.	Roli Holdings Pvt Ltd Trans. From West Bengal	Private	30.03.2013	Active
7.	Dynamic Commercial Ltd	Public	30.03.2013	Active
8.	Devon Viniyog Pvt Ltd	Private	15.09.2004	Active
9.	M.P. Singh Memorial Healthcare Pvt Ltd	Private	30.11.2007	Active
10.	M. P. Singh Project Pvt Ltd	Private	30.03.2013	Active
11.	Venus Cements Ltd	Public	30.03.2011	Active
12.	Avi-Aru Infrastructure Pvt Ltd	Private	30.03.2013	Active
13.	Arunavi Infrastructure Pvt Ltd	Private	30.03.2013	Active
16. Writ Petition No.12935 of 2019				
1. Rajesh Ahuja			DIN-02168327	
2. Ashok Kumar Gupta			DIN-00040553	
1.	Force Solar Power Private Limited	Private	16.08.2013	Struck off
2.	LLP Master Data	Private	16.08.2013	Active
17.Writ Petition No.13063 of 2019				
Petitioner-1. Ruchir Pandey			DIN-05226935	
1.	Matru Dairy Producer Company Limited	Private	03.12.2013	Struck off
2.	Naini Builders and Developers Pvt Ltd	Private	01.02.2018	Active

3.	R Square Media Solutions Pvt Ltd	Private	20.03.2012	Active
4.	Bhudeva Propcon Pvt Ltd	Private	30.03.2015	Active
5.	Om Namah Shivay Realtors Pvt Ltd	Private	23.05.2012	Active
6.	Rudrajit Enterprises Pvt Ltd	Private	01.06.2015	Active
Petitioner-2. Ashok Kumar Pandey		DIN-06478646		
1.	Matru Dairy Producer Company Limited	Private	03.12.2013	Struck off
2.	Beti Beta Foods and Beverage Cafe OPC Pvt Ltd	Private	19.05.2015	Active
18.Writ Petition No.13072 of 2019 Petitioner-1. Deepika Bali DIN-02729116				
1.	Noble Career Solutions Private Limited	Private	16.09.2009	Struck off
2.	Bali Den Cable Network Pvt Ltd	Private	01.09.2015	Active
3.	BCN Media Pvt Ltd	Private	19.08.2009	Active
4.	Bali Net Com Pvt Ltd	Private	08.07.2015	Active
5.	RB Space Net Pvt Ltd	Private	20.07.2015	Active
Petitioner-2. Ravi Bali		DIN-02729149		
1.	Noble Career Solutions Private Limited	Private	16.09.2009	Struck off
2.	Riviera Buildtech Pvt Ltd	Private	12.03.2010	Active
3.	BCN Media Pvt Ltd	Private	19.08.2009	Active
4.	DDC Broadband Pvt Ltd	Private	29.09.2017	Active
5.	Ocean Apartments (India) Pvt Ltd	Private	24.12.2013	Active
6.	Bali Net Com Pvt Ltd	Private	08.07.2015	Active
19. Writ Petition No.13593 of 2019 Petitioner- Deepak Kumar Maheshwari DIN-00983837				
1.	Mahesh Carpets Exports Private Limited	Private	06.03.1991	Struck off
2.	The Benares Club Ltd	Public	05.02.1898	Active
20.Writ Petition No.14554 of 2019 1. Vipin Kumar Chaudhary DIN-06402083 2. Renu Singh DIN-06402081				
1.	Utkrisht Foodlet Private Limited	Private	22.10.2012	Struck off
2.	Vision and Viability Reality Solutions	Private	20.08.2014	Active
21. Writ Petition No.14557 of 2019 1. Vishnu Sharma DIN-03392941 2. Uday Kumar DIN-03393074 3. Gaurav Bhatnagar DIN-03397944				
1.	Askus Advisors Pvt Ltd	Private	28.01.2011	Struck off
2.	Pacificgreen Infraheight Pvt Ltd	Private	18.07.2013	Active
22.Writ Petition No.15854 of 2019 Petitioner- Ashish Tripathi DIN-0516563				
1.	Bhoomishakti Real Estate Consulting	Private	20.03.2013	Struck off

	Services Pvt Ltd			
2.	Ashtabhoomi Developwell Pvt Ltd	Private	04.12.2012	Active
3.	Bhoomi Ventures Pvt Ltd	Private	17.02.2012	Active
23. Writ Petition No.16359 of 2019 Petitioner- Alok Singh DIN-03222931				
1.	Adpa Builders Pvt Ltd	Private	14.09.2010	Struck off
2.	Lucknow Royal Infradevelopers Pvt Ltd	Private	16.05.2011	Active
3.	One Roof Infra Developers Pvt Ltd	Private	17.11.2014	Active
24. Writ Petition No.17328 of 2019 Petitioner-Syed Khan DIN-03335406				
1.	Achievers Edupartners Pvt Ltd	Private	05.07.2011	Struck off
2.	Whetstone Marketing Pvt Ltd	Private	06.06.2011	Active
3.	Palash Infratech Pvt Ltd	Private	19.11.2012	Active
25. Writ Petition No.17405 of 2019 Petitioner-Syed Mohd Iqbal DIN-02811256				
1.	Four Seasons Enterprises Pvt Ltd	Private	23.10.2009	Active
2.	Transglobal Computer Education Institute Pvt Ltd	Private	23.04.2013	Struck off
26. Writ Petition No.17501 of 2019 Petitioner-Vipin Sarawat DIN-05189282				
1.	Manhattan Donex Buildtech Pvt Ltd	Private	12.10.2012	Struck off
2.	Manhattan Infrabuild Pvt Ltd	Private	06.08.2013	Struck off
3.	Manhattan Infracon Pvt Ltd	Private	15.02.2012	Struck off
4.	Kingson Infradevelopers LLP	LLP	-	Active
5.	Maniere Home LLP	LLP	-	Active
6.	A S Civitech Pvt Ltd	Private	-	Active
7.	Triple Play Telecommunication Pvt Ltd	Private	-	Active
27. Writ Petition No.17508 of 2019 Petitioner-Shashank Jain DIN-00508208				
1.	Adhishree Steels Ltd	Public	23.11.2011	Struck off
2.	Plutus Natural Resources Pvt Ltd	Private	11.04.2012	Struck off
3.	Shreeji Georeasources Pvt Ltd	Private	16.03.2012	Struck off
4.	Good Earth Constructions Pvt Ltd	Private	08.08.1990	Active
5.	Dwarka Education Pvt Ltd	Private	25.07.2011	Active
28. Writ Petition No.17516 of 2019 Petitioner-Hariom Dixit DIN-00607567				
1.	Omabhiti Developwell Pvt Ltd	Private	02.02.2012	Struck off
2.	Gayatri Resources Pvt Ltd	Private	21.05.2009	Active
29. Writ Petition No.17525 of 2019 Petitioner-Amit Kumar DIN-03098168				
1.	Manhattan Donex Buildtech Pvt Ltd	Private	12.10.2012	Struck off
2.	Manhattan Infrabuild Pvt Ltd	Private	06.08.2013	Struck off
3.	Manhattan Infracon Pvt Ltd	Private	15.02.2012	Struck off

4.	Kingson Infradevelopers LLP	LLP	-	Active
5.	Maniere Home LLP	LLP	-	Active
6.	Rainbow Realcon Pvt Ltd	Private	-	Active
7.	Tripleplayer Telecom Pvt Ltd	Private	-	Active
8.	Pratistha Promoters Pvt Ltd	Private	-	Active
9.	Pitamber Promoters Pvt Ltd	Private	-	Active
10.	JRS Conbuild Pvt Ltd	Private	-	Active
11.	Panchsheel Infrapromoters Pvt Ltd	Private	-	Active
12.	Vibgyor Facility Management Pvt Ltd	Private	-	Active
30. Writ Petition No.17557 of 2019				
Petitioner-1 Anil Kumar Gupta		DIN-02728040		
1.	Kela Devi Knowledge Park Ltd	Public	13.01.2012	Active
Petitioner-2 Arvind Kumar Gupta		DIN-02912070		
1.	Kela Devi Knowledge Park Ltd	Public	13.01.2012	Active
2.	Marigold Paints Pvt Ltd	Private	02.04.1987	Active
3.	Aroma Dwelling Pvt Ltd	Private	30.09.2009	Active
4.	Killick Shipping Services Ltd	Public	13.07.1987	Active
5.	Marathon Trading and Investment Pvt Ltd	Private	14.07.1988	Struck off
Petitioner-3 Seema Mishra		DIN-03428815		
1.	Kela Devi Knowledge Park Ltd	Public	13.01.2012	Active
2.	Swarnima Oil Industries Ltd	Public	07.11.1991	Active
3.	Vistar Vinimay Infra Trading Pvt Ltd	Private	18.07.2014	Active
31. Writ Petition No.17610 of 2019				
Petitioner-Suresh Kumar Sahu		DIN-06653284		
1.	S.S.Agrogenetics and Fertilizers Pvt Ltd	Private	04.03.2014	Active
32. Writ Petition No.17647 of 2019				
Petitioner-Anurag Yadav		DIN-0476607		
1.	Rudra Green Fields Pvt Ltd	Private	17.12.2009	Active
2.	Gopalkrishna Cold Storage Pvt Ltd	Private	13.07.2011	Active
3.	BDM Telecom India Pvt Ltd	Private	03.10.2012	Active
4.	Rasa Infratech Pvt Ltd	Private	22.04.2013	Active
5.	Rudi Infotech Solutions Pvt Ltd	Private	23.08.2012	Struck off
6.	Rasa Telecommunication Services Pvt Ltd	Private	12.08.2013	Struck off
33. Writ Petition No.17649 of 2019				
Petitioner -Raj Narain Singh		DIN-02103769		
1.	Health Care Home Appliances Pvt Ltd	Private	06.09.2011	Struck off
2.	Shivnarayan Developers Pvt Ltd	Private	14.05.2008	Active
34. Writ Petition No.17652 of 2019				
Petitioner-1 Vijay Shaker Pandey		DIN-05340852		
1.	City Infradestination Pvt Ltd	Private	22.01.2013	Struck off

2.	Chitwan City Pvt Ltd	Private	11.03.2014	Active
Petitioner-2 Repunjay Kumar Patel		DIN-06388430		
1.	City Infradestination Pvt Ltd	Private	22.01.2013	Struck off
2.	Sapphire Sambhav Infraestates Pvt Ltd	Private	25.09.2012	Active
Petitioner-3 Girish Kumar Misra		DIN-06512407		
1.	City Infradestination Pvt Ltd	Private	22.01.2013	Struck off
2.	Chitwan City Pvt Ltd	Private	11.03.2014	Active
35. Writ Petition No.17664 of 2019				
Petitioner-Chanpreet Singh		DIN-02988526		
1.	Pratishta Computer Services Pvt Ltd	Private	02.08.1996	Struck off
2.	Mannat Infrahome Pvt Ltd	Private	04.05.2012	Active
36. Writ Petition No.17729 of 2019				
Petitioner-1 Farazur Rahman		DIN-07024442		
1.	Mandolin Infrahousing Pvt Ltd	Private	28.08.2012	Struck off
2.	Walkwater Constructions Pvt Ltd	Private	28.08.2012	Struck off
3.	Kinda Care Pvt Ltd	Private	25.03.2015	Under process of striking off
4.	SFS Infra Housing Projects Pvt Ltd	Private	25.02.2016	Active
Petitioner-2 Shamim Ahmad		DIN-07117090		
1.	Mandolin Infrahousing Pvt Ltd	Private	28.08.2012	Struck off
2.	Walkwater Constructions Pvt Ltd	Private	28.08.2012	Struck off
3.	SFS Infra Housing Projects Pvt Ltd	Private	25.02.2016	Active
Petitioner-3 Neelam Sajid		DIN07117015		
1.	Mandolin Infrahousing Pvt Ltd	Private	28.08.2012	Struck off
2.	Walkwater Constructions Pvt Ltd	Private	28.08.2012	Struck off
3.	SFS Infra Housing Projects Pvt Ltd	Private	25.02.2016	Active
37. Writ Petition No.17834 of 2019				
Petitioner-Sumitra		DIN-06652272		
1.	Indrashakti Human Resource Services Pvt Ltd	Private	17.09.2010	Active
2.	Dotnet Sales and Marketing Pvt Ltd	Private	06.12.2010	Struck off
38. Writ Petition No.17843 of 2019				
Petitioner-Ankur Mittal		DIN- 01988340		
1.	Trimurti V Fahionz Private Ltd	Private	16.11.2012	Struck off
2.	OTR Papers Pvt Ltd	Private	27.09.1995	Active
3.	S.R. Mittal paper Mills Ltd	Publie	03.08.1995	Active
39. Writ Petition No.17912 of 2019				
Petitioner-Gopal Das Agarwal		DIN-01148301		
1.	Ramesth Diamonds Pvt Ltd	Private	22.05.2006	Active
2.	G.P. Colonisers and Developers Pvt Ltd	Private	04.07.2006	Struck off
3.	Mukut Infrastructures Pvt Ltd	Private	26.07.2006	Active
4.	Gateway Ventures Pvt Ltd	Private	28.12.2011	Active

5.	Walkwater Constructions Pvt Ltd	Private	28.08.2012	Struck off
6.	Mandolin Infrahousing Pvt Ltd	Private	28.08.2012	Struck off
7.	Drumbeat Developers Pvt Ltd	Private	28.08.2012	Active
8.	Toronto Developers Pvt Ltd	Private	28.08.2012	Active
9.	Blueridge Dwelling Pvt Ltd	Private	11.07.2012	Active
10.	Mermaid Infratech Pvt Ltd	Private	12.07.2012	Active
11.	Primeland Properties and Infrastructure Pvt Ltd	Private	09.04.2012	Active
12.	Ocean Dream Infrastructures Pvt Ltd	Private	09.04.2012	Active
13.	Blue Nile Infratech Pvt Ltd	Private	09.04.2012	Active
14.	Pendant Inframart Pvt Ltd	Private	09.04.2012	Active
15.	Kaishori Marketing Pvt Ltd	Private	18.05.2010	Active
16.	Jeevan Vincom Pvt Ltd	Private	17.05.2010	Active
17.	Jupiter Tradelinks Pvt Ltd	Private	22.08.2008	Struck off
40.Writ Petition No.17969 of 2019 Petitioner-Rajendra Singh DIN-02482087				
1.	RRD Infrapromoters Pvt Ltd	Private	-	Active
2.	RRC Infrapromoters Pvt Ltd	Private	-	Active
3.	RRB Infrapromoters Pvt Ltd	Private	-	Active
4.	RRA Infrapromoters Pvt Ltd	Private	-	Active
5.	Satyarjun Projects Pvt Ltd	Private	-	Active
6.	Jaguar Real Estate Developers Pvt Ltd	Private	-	Active
7.	J. J. Infraestate Pvt Ltd	Private	-	Active
8.	J. J. Infratech Pvt Ltd	Private	-	Active
9.	Nodus Developers Pvt Ltd	Private	-	Active
10.	J. J. Infrareality Pvt Ltd	Private	-	Active
11.	LDR Developers Pvt Ltd	Private	-	Active
12.	R.S.V. Nirman Pvt Ltd	Private	-	Active
13.	SJ Coloniser Private Ltd	Private	-	Active
14.	Tas Construction Pvt Ltd	Private	-	Active
15.	J. J. Infra Promoters Pvt Ltd	Private	03.10.2011	Struck off
41. Writ Petition No.17989 of 2019 Petitioner-1 Gaurav Agarwal DIN-02526374				
1.	Carmel Ventures Pvt Ltd	Private	29.02.2012	Active
2.	GS Infraventures Pvt Ltd	Private	09.04.2012	Struck off
3.	Hindukush Infrastructure Pvt Ltd	Private	10.07.2012	Struck off
4.	Indes Venture Pvt Ltd	Private	27.03.2012	Active
5.	Jeevah Vincom Pvt Ltd	Private	17.05.2010	Active
6.	Jupiter Tradelinks Pvt Ltd	Private	22.08.2008	Struck off
7.	Kaishori Marketing Pvt Ltd	Private	18.05.2010	Active
8.	Nandini Ventures Pvt Ltd	Private	12.01.2012	Active

9.	Primeland Properties and Infrastructure Pvt Ltd	Private	09.04.2012	Active
11.	Carols Infratech Pvt Ltd	Private	11.07.2012	Struck off
12.	Equator Civiltech Pvt Ltd	Private	28.08.2012	Active
14.	Granite Ventures Pvt Ltd	Private	27.03.2012	Struck off
15.	Gurushikhar Infrahousing Pvt Ltd	Private	10.07.2012	Active
16.	Koteshwar Infrastructure Pvt Ltd	Private	29.06.2012	Active
18.	Piano Constructions Pvt Ltd	Private	28.08.2012	Active
19.	Picasso Infracraft Pvt Ltd	Private	28.08.2012	Active
20.	Ramesth Diamonds Pvt Ltd	Private	22.05.2006	Active
21.	Rosebud Dwelling Pvt Ltd	Private	29.06.2012	Active
22.	Blue Nile Infratech Pvt Ltd	Private	09.04.2012	Active
Petitioner-2 Shashi Agarwal		DIN-02526396		
1.	Carmel Ventures Pvt Ltd	Private	29.02.2012	Active
2.	Mukut Infrastructures Pvt Ltd	Private	26.07.2006	Active
3.	Carols Infratech Pvt Ltd	Private	11.07.2012	Struck off
4.	Equator Civiltech Pvt Ltd	Private	28.08.2012	Active
5.	Flute Infratech Pvt Ltd	Private	28.08.2012	Active
6.	Granite Ventures Pvt Ltd	Private	27.03.2012	Struck off
7.	Gurushikhar Infrahousing Pvt Ltd	Private	10.07.2012	Active
8.	Koteshwar Infrastructure Pvt Ltd	Private	29.06.2012	Active
9.	Pendant Inframart Pvt Ltd	Private	09.04.212	Active
10.	Piano Constructions Pvt Ltd	Private	28.08.2012	Active
11.	Picasso Infracraft Pvt Ltd	Private	28.08.2012	Active
12.	Ramesth Diamonds Pvt Ltd	Private	22.05.2006	Active
13.	Rosebud Dwelling Pvt Ltd	Private	29.06.2012	Active
14.	Toronto Developers Pvt Ltd	Private	28.08.2012	Active
15.	Yamuna Infrabuildcon Pvt Ltd	Private	24.11.2008	Struck off
16.	Babylon Infraventures Pvt Ltd	Private	29.06.2012	Active
17.	Blue Nile Infratech Pvt Ltd	Private	09.04.2012	Active
18.	Caramel Properties Pvt Ltd	Private	28.08.2012	Struck off
19.	Bricks Ventures Pvt Ltd	Private	29.02.2012	Active
42.Writ petition No.18052 of 2019				
Petitioner-Brijendra Kumar Srivatava		DIN-00270862		
1.	Archwing Tradecare Pvt Ltd	Private	10.12.2013	Struck off
2.	Fortune Remedies Pvt Ltd	Private	15.07.2011	Struck off
43. Writ Petition No.18054 of 2019				
Petitioner-1 Rajeev Bhatnagar		DIN-01370510		
1.	Mahakaaal Right Move Property Pvt Ltd	Private	12.06.2013	Struck off
2.	Cross Country Overseas Pvt Ltd	Private	-	Active

3.	Mahakalkripa Realcon Pvt Ltd	Private	-	Active
4.	BVM Realcon Pvt Ltd	Private	-	Active
5.	BVM Infratech Pvt Ltd	Private	-	Active
Petitioner-2 Neelima Bhatnagar		DIN-06560864		
1.	Mahakaaal Right Move Property Pvt Ltd	Private	12.06.2013	Struck off
2.	Mahakalkripa Realcon Pvt Ltd	Private	-	Active
44. Writ Petition No.18968 of 2019				
Petitioner-1 Shahin Anees				
1.	United Infraplanners Pvt Ltd	Private	04.10.2011	Struck off
2.	Hatchcrate Pvt Ltd	Private	21.05.2018	Active
Petitioner-2 Anees Ahmad Khan		DIN-05266532		
1.	United Infraplanners Pvt Ltd	Private	04.10.2011	Struck off
2.	Hatchcrate Pvt Ltd	Private	21.05.2018	Active
Petitioner-3 Arshad Ali Khan		DIN-02911315		
1.	United Infraplanners Pvt Ltd	Private	04.10.2011	Struck off
2.	Hatchcrate Pvt Ltd	Private	21.05.2018	Active
45. Writ Petition No.19011 of 2019				
Peititoner-Neeraj Verma		DIN-07495092		
1.	G & G Technobuild Pvt Ltd	Private	25.02.2013	Struck off
46. Writ Petition No.19020 of 2019				
Petitioner-Anjani Kumar		DIN-03230838		
1.	Rudra Buildzone Ltd	Public	17.10.2012	Struck off
2.	Lifelong Commercial Services Ltd	Public	21.10.2010	Struck off
47. Writ Petition No.19227 of 2019				
Petitioner-Nitin Sinha		DIN-02694563		
1.	Petron International (India) Ltd	Public	01.11.1989	Struck off
2.	HBS Agro & Biotech Engineering Enterprises Pvt Ltd	Private	-	Active
3.	HBS Automobiles and Engineering Pvt Ltd	Private	-	Active
4.	DSB Consulance Pvt Ltd	Private	-	Active
5.	Transcend Nutressential International Ltd	Private	-	Active
6.	Healthnus International Marketing India Pvt Ltd	Private	-	Active
48. Writ Petition No.19259 of 2019				
Petitioner-Som Kumar Mittal		DIN-03034160		
1.	V.S. Infradeveloper Pvt Ltd	Private	08.08.2013	
2.	Shri Hari Infraventure Pvt Ltd	Private	06.09.2012	
3.	Unify Housing Pvt Ltd	Private	09.04.2013	
49. Writ Petition No.19273 of 2019				
Petitioner-1 Ajit Kumar		DIN-00477143		

1.	Raadhey Krishnaa Infracorp Pvt Ltd	Private	07.05.2013	Struck off
2.	Raadhey Krishnaa City Mart Pvt Ltd	Private	-	Active
3.	Raadhey Krishnaa Inframart Pvt Ltd	Private	-	Active
4.	Raadhey Krishnaa Homecon Pvt Ltd	Private	-	Active
5.	B D Leisure and Amusements Pvt Ltd	Private	-	Active
6.	Sajag Infrastructure and Builders India Pvt Ltd	Private	-	Active
7.	Raadhey Krishnaa Marketing Pvt Ltd	Private	-	Active
8.	Udahai Colonisers Pvt Ltd	Private	-	Active
9.	Raadhey Krishna Corporation Ltd		-	Active
Petitioner-2 Sangeeta Gupta			DIN-01196740	
1.	Raadhey Krishnaa Infracorp Pvt Ltd	Private	07.05.2013	Struck off
2.	Raadhey Krishnaa Retail (India) Pvt Ltd	Private	-	Active
3.	Shree Raadhey Krishnaa Inframart Retail Pvt Ltd	Private	-	Active
4.	Shree Raadhey Krishnaa Holdings Pvt Ltd	Private	-	Active
5.	Raadhey Krishnaa Homecon Pvt Ltd	Private	-	Active
6.	Raadhey Krishnaa Inframart Pvt Ltd	Private	-	Active
7.	Sajag Infrastructure and Builders India Pvt Ltd	Private	-	Active
8.	Udahai Colonisers Pvt Ltd	Private	-	Active
50. Writ Petition No.19278 of 2019				
Petitioner-1 Abhay Kumar			DIN-00276214	
1.	Aaakansha Portfolio Pvt Ltd	Private	29.01.2004	Struck off
Petitioner-2 Abhinandan Kumar Jain			DIN-00276247	
1.	Aakansha Portfolio Pvt Ltd	Private	29.01.2004	Struck off
2.	Shree Saurabh Sagar Builders and Developers Pvt Ltd	Private	13.12.2004	Active
3.	Shree Saurabh Infrastructure Development	Private	27.05.2011	Active
51. Writ Petition No.19280 of 2019				
Petitioner-1 Anuj Pratap Yadav			DIN-05353658	
Petitioner-2 Santosh Kumar Singh			DIN-05353665	
1.	Footloose Holidays Pvt Ltd	Private	29.08.2012	Struck off
52.Writ Petition No.19285 of 2019				
Petitioner-1 Abhinandan Kumar Jain			DIN-00276247	
1.	Aakansha Portfolio Pvt Ltd	Private	30.01.2004	Active
2.	Shree Saurabh Sagar Builders and Developers Pvt Ltd	Private	13.12.2004	Active
3.	Shree Saurabh Infrastructure Development	Private	27.05.2011	Active
Petitioner-2 Nirupama Jain			DIN-00276192	
1.	Shree Saurabh Sagar Builders and	Private	13.12.2004	Active

	Developers Pvt Ltd			
2.	Shree Saurabh Infrastructure Development	Private	27.05.2011	Active
Petitioner-3 Vibha Jain		DIN-02879685		
1.	Shree Saurabh Sagar Builders and Developers Pvt Ltd	Private	13.12.2004	Active
2.	Shree Saurabh Infrastructure Development	Private	27.05.2011	Active
53.Writ Petition No.19297 of 2019				
Petitioner-1 Kamal Chug		DIN-00059460		
1.	Jak Remedies Pvt Ltd	Private	23.05.2006	Active
2.	Vidhyut Carbon Fertilizers Pvt Ltd	Private	23.07.2014	Struck off
Petitioner-2 Manoj Kumar Goel		DIN-06888437		
1.	Vidhyut Carbon Fertilizers Pvt Ltd	Private	23.07.2014	Struck off
Petitioner-3 Nand Kishore Goel		DIN-01685952		
1.	Pacific Orgochem Ltd		24.04.1995	Active
2.	Vidhyut Carbon Fertilizers Pvt Ltd	Private	23.07.2004	Struck off
Petitioner-4 Harsh Goel		DIN-016860007		
1.	Pacific Orgochem Ltd		24.09.2018	Active
2.	Vidhyut Carbon Fertilizers Pvt Ltd	Private	23.07.2014	Struck off
54. Writ Petition No.19315 of 2019				
Petitioner-1 Kailash Gupta		DIN-00694508		
1.	Neon New Pvt Ltd	Private	06.12.2004	Active
2.	All in All Consultants Pvt Ltd	Private	03.10.2011	Active
3.	Nova Digital & Broadband Pvt Ltd	Private	30.09.2015	Active
4.	Welcome Cable Network Pvt Ltd	Private	02.06.2010	Active
5.	Novity Developers Pvt Ltd	Private	11.01.2011	Struck off
6.	Arjun Media Pvt Ltd	Private	05.02.2009	Active
Petitioner-2 Chanchal Gupta		DIN-018666549		
1.	Novity Developers Pvt Ltd	Private	11.01.2011	Struck off
Petitioner-3 Reena Gupta		DIN-03366941		
1.	Novity Developers Pvt Ltd	Private	11.01.2011	Struck off
2.	Neoworld Technologies Pvt Ltd	Private	21.02.2012	Active
55. Writ Petition No.19332 of 2019				
Petitioner-Naman Jain		DIN-06469368		
1.	Moradabad Industrial Development Company Pvt Ltd	Private	01.04.2013	Struck off
56. Writ Petition No.19481 of 2019				
Petitioner-Chandraveer Singh		DIN-01242007		
1.	Jan Shakti Cold Storage Pvt Ltd	Private	01.08.1989	-
2.	GCC Energy Pvt Ltd	Private	28.06.2010	-
57. Writ Petition No.19930 of 2019				
Petitioner-Chaitanya Agarwal		DIN-06619985		

1.	Kaarya Business Solutions Pvt Ltd	Private	01.08.2013	Struck off
2.	Bankey Bihari Herbs & Spices Pvt Ltd	Private	25.03.2014	Active
58. Writ Petition No.20231 of 2019 Petitioner-1 Nikhil Kukreja DIN-06649387 Petitioner-2 Parry Kukreja DIN-06649401				
1.	Kukreja Polycot Pvt Ltd	Private	07.06.2017	Under process of Striking off
2.	Clara Petrochemicals Pvt Ltd	Private	26.08.2013	Struck off
59. Writ Petition No.20252 of 2019 Petitioner-1 Chandra Mohan DIN-03373693 Petitioner-2 Ashok Kumar DIN-03373688 Petitioner-3 Arvind Kumar DIN-02735085 Petitioner-4-Smt. Indresh Bala Singhal DIN-01885156 Petitioner-5—Smt. Sarita Singhal DIN-03374098				
1.	Hans Pharmaceutical and Chemicals Pvt Ltd	Private	01.07.1988	Active
60. Writ Petition No.20321 of 2019 Petitioner-Dr. Rajesh Mehta DIN-00246328				
1.	Kambrij Hospital Care Pvt Ltd	Private	06.04.1999	Active
2.	Kambrij Healthcare Consultants Pvt Ltd	Private	07.12.2007	Active
3.	Eco Friendly Textile Park Pvt Ltd	Private	09.06.2008	Struck off
61. Writ Petition No.20434 of 2019 Petitioner-1 Vipin Agrawal DIN-02325959				
1.	Goldenera Plastopack Pvt Ltd	Private	31.03.2014	Active
2.	Goldenera Thermo Fibre Industries Pvt Ltd	Private	07.01.2014	Struck off
Petitioner-2 Shirish Agrawal DIN-06754584				
1.	Goldenera Plastopack Pvt Ltd	Private	31.03.2014	Active
2.	Goldenera Thermo Fibre Industries Pvt Ltd	Private	07.01.2014	Struck off
Petitioner-3 Anjani Kumar Rungta DIN-06501555				
1.	Goldenera Thermo Fibre Industries Pvt Ltd	Private	07.01.2014	Struck off
2.	Gorakhpur Greentech Properties Pvt Ltd	Private	27.02.2013	Active
62. Writ Petition No.20450 of 2019 Petitioner-Syed Amir Haider Zaidi DIN-02656609				
1.	3GGenersys Infra Developers Pvt Ltd	Private	10.06.2013	Active
2.	EF Genersys Pvt Ltd	Private	08.07.2009	Struck off
63. Writ Petition No.20451 of 2019 Petitioner-Rajeev Kumar Rajput DIN-05183084				
1.	Sugam Buildwell Pvt Ltd	Private	31.01.2012	Struck off
2.	Sugam Infratech Pvt Ltd	Private	29.01.2014	Active
3.	NKV Homes Pvt Ltd	Private	15.02.2010	Active
4.	Balize Constructions Pvt Ltd	Private	11.04.2013	Active

64. Writ Petition No.20455 of 2019				
Petitioner-Manorama Gupta		DIN-01910631		
1.	Dauji Chemicals Pvt Ltd	Private	22.02.1977	Active
2.	Sri Dalchand Roller Flour Mills Pvt Ltd	Private	23.05.1974	Struck off
65. Writ Petition No.20548 of 2019				
Petitioner-1 Gyan Vardhan Agarwal		DIN-03586687		
Petitioner-2 Harsh Vardhan Agarwal		DIN-03586690		
Petitioner-3 Kiran Agarwal		DIN-03586691		
1.	CLRS Hotels & Resorts Pvt Ltd	Private	23.08.2011	Active
66. Writ Petition No.20828 of 2019				
Petitioner-Hariom Chaudhary		DIN-03328799		
1.	Virat Infratech Pvt Ltd	Private	-	-
2.	Virat Education Pvt Ltd	Private	-	-
67. Writ Petition No.20831 of 2019				
Petitioner-Rajni Choudhary		DIN-03328763		
1.	Virat Eductech Pvt Ltd	Private	-	-
2.	Virat Infractech Pvt Ltd	Private	-	-
68. Writ Petition No.20932 of 2019				
Petitioner-1 Sharat Chandra Tirpathi		DIN-01207790		
Petitioner-2 Kiran Tirpathi		DIN-01196730		
Petitioner-3 Subash Chandra Tirpathi		DIN-02585575		
Petitioner-4-Shanti Tirpathi		DIN-02607656		
1.	Spectrum Eduvision (India) Pvt Ltd	Private	16.04.2009	Active
Petitioner-1 Sharat Chandra Tirpathi		DIN-01207790		
Petitioner-2 Kiran Tirpathi		DIN-01196730		
Petitioner-4-Shanti Tirpathi		DIN-02607656		
1.	Prof Satish Tripathi Memorial Education Centre Pvt Ltd	Private	15.04.1996	Struck off
69. Writ Petition No.20944 of 2019				
Petitioner-1 Yogesh Mittal		DIN-00720363		
Petitioner-2 Richa Mittal		DIN-02680579		
1.	FM Infracity Pvt Ltd	Private	25.02.2011	Active
Petitioner-1 Yogesh Mittal		DIN-00720363		
1.	Keshav Madhav Homes Pvt Ltd	Private	31.12.2009	Struck off
70. Writ Petition No.20987 of 2019				
Petitioner-1 Padam Kumar Mittal		DIN-03278902		
Petitioner-2 Manoj Kumar Agarwal		DIN-03286778		
1.	Rajasthaan Grain Pulses Pvt Ltd	Private	19.03.2012	Active
2.	Khatu Shyamji Agro Exim Pvt Ltd	Private	02.12.2011	Struck off
71. Writ Petition No.20992 of 2019				
Petitioner-Shiv Kumar Sarda		DIN-00894667		
1.	Volgina Finvest Pvt Ltd	Private	05.05.1997	Active
72. Writ Petition No.21180 of 2019				
Petitioner-Nitin Chaturvedi		DIN-00943939		
1.	Secure Transmission System Pvt Ltd	Private	16.06.2004	Active
73. Writ Petition No.21214 of 2019				

Petitioner-Mahesh Chand Agarwal		DIN-01949782		
1.	Shanti Padam Emporium Prvt Ltd	Private	13.08.2004	Active
2.	Omslri Ganesh Infracity Pvt Ltd	Private	06.07.2011	Struck off
3.	Shri Shanti Construction Pvt Ltd	Private	05.05.2010	Active
74. Writ Petition No.21223 of 2019				
Petitioner-Hana Khan		DIN-02965140		
1.	True Media Indian Communication Ltd	Public	01.06.2006	Active
2.	Era's Medical Devices and Services Pvt Ltd	Private	15.05.2013	Active
3.	Era Shelters Ltd	Public	21.06.2006	Struck off
4.	New Ears India Shipping and Cargo Ltd	Public	01.06.2006	Struck off
5.	Era Motels Ltd	Public	21.06.2006	Struck off
75. Writ Petition No.21248 of 2019				
Petitioner-Meesam Ali Khan		DIN-02246315		
1.	MA Profit Mutual Benefit Ltd	Public	25.11.2005	Struck off
2.	Era Colonizers Promoters and Developers India Pvt Ltd	Private	13.02.2006	Active
3.	Juddi Maritime Pvt Ltd	Private	18.08.2008	Active
4.	WM Bluechip Investment Services Pvt Ltd	Private	11.02.2009	Active
5.	Admire Builder Pvt Ltd	Private	19.05.2009	Active
6.	Zircon Construction Pvt Ltd	Private	19.05.2009	Active
7.	Eras Lucknow Medical College and Hospital Pvt Ltd	Private	30.05.2011	Active
8.	Era Educational Services Pvt Ltd	Private	28.05.2011	Active
9.	Era Agri Products Pvt Ltd	Private	23.08.2011	Active
10.	Era Fishery Products Pvt Ltd	Private	23.08.2011	Active
11.	Era Healthcare Pvt Ltd	Private	04.01.2012	Active
12.	H T Financial Services Pvt Ltd	Private	06.01.2012	Active
13.	True Media Indian Communication Ltd	Public	01.06.2006	Active
14.	New Eras India Shipping and Cargo Ltd	Public	01.06.2006	Active
15.	Era Motels Ltd	Public	21.06.2006	Active
16.	Era Shelters Ltd	Public	21.06.2006	Active
17.	Test Masters Pvt Ltd	Private	30.09.2015	Active
76. Writ Petition No.21249 of 2019				
Petitioner-1 Saiyada Ali Khan		DIN-02902524		
1.	AM Blue Chip Mutual Benefit Ltd	Public	26.12.2005	Struck off
2.	Era Colonizers Promoters and Developers India Pvt Ltd	Private	13.02.2006	Active
3.	Era's Medical Devices and Services Pvt Ltd	Private	15.05.2013	Active
4.	True Media Indian Communication Ltd	Public	21.11.2011	Active
Petitioner-2 Mohammad Hasan Rizvi		DIN-01561713		

1.	AM Blue Chip Mutual Benefit Ltd	Public	26.12.2005	Struck off
2.	Era Colonizers Promoters and Developers India Pvt Ltd	Private	13.02.2006	Active
3.	Get Tech Solutions Pvt Ltd	Private	11.01.2011	Active
4.	A. H. Infosource Pvt Ltd	Private	04.07.2007	Active
Petitioner-3 Mohsin Ali Khan DIN-01179391				
1.	A. M. Bluechip Mutual Benefit Ltd	Public	26.12.2005	Struck off
2.	Era Colonizers Promoters and Developers India Pvt Ltd	Private	13.02.2006	Active
3.	Juddi Maritime Pvt Ltd	Private	18.08.2008	Active
4.	WM Bluechip Investment Services Pvt Ltd	Private	11.02.2009	Active
5.	Admire Builder Pvt Ltd	Private	19.05.2009	Active
6.	Zircon Construction Pvt Ltd	Private	19.05.2009	Active
7.	Eras Lucknow Medical College and Hospital Pvt Ltd	Private	30.05.2011	Active
8.	Era Educational Services Pvt Ltd	Private	28.05.2011	Active
9.	Era Agri Products Pvt Ltd	Private	23.08.2011	Active
10.	Era Fishery Products Pvt Ltd	Private	23.08.2011	Active
11.	Era Health Care Pvt Ltd	Private	04.01.2012	Active
12.	H T Financial Services Pvt Ltd	Private	06.01.2012	Active
13.	True Media Indian Communication Ltd	Public	21.11.2011	Active
14.	Test Masters Pvt Ltd	Private	30.09.2015	Active
77. Writ Petition No.21309 of 2019				
Petitioner-1 Pushpa Chaturvedi		DIN-05251518		
Petitioner-2 Vaibhav Chaturvedi		DIN-05251491		
1.	Prabha Motors Pvt Ltd	Private	01.05.2012	Active
78. Writ Petition No.21445 of 2019				
Petitioner-Nisha Sharma		DIN-02761545		
1.	Golden Derivatives Trading Pvt Ltd	Private	20.02.2009	Struck off
2.	Froport Logistics Pvt Ltd	Private	04.05.2018	Active
79. Writ Petition No.21555 of 2019				
Petitioner-1 Linda Diane Cooper		DIN-03601192		
Petitioner-2 Richard Swaminathan		DIN-05238357		
1.	Varanasi Welfare Foundation	Private	19.08.2011	Active
80. Writ Petition No.21699 of 2019				
Petitioner-1 Gauravi Dwivedi		DIN-06586343		
Petitioner-2 Indira Pandey		DIN-06586348		
1.	Futurevision Broadcast Pvt Ltd	Private	23.05.2013	Active
2.	Saidwar Projects Pvt Ltd	Private	12.08.2013	Struck off
3.	Orientalbulls India Nidhi Ltd	Public	08.01.2015	Active
81. Writ Petition No.21935 of 2019				
Petitioner-Saket Uberoi		DIN-01669188		
1.	Genesis Direct Sales Pvt Ltd	Private	26.12.2008	Struck off

2.	Linear Skills Pvt Ltd	Private	01.12.2014	Active
3.	Linear Marketing Pvt Ltd	Private	07.04.1997	Active
82. Writ Petition No.22075 of 2019 Petitioner-Shakti Singh DIN-05287429				
1.	Desire Global Tours Pvt Ltd	Private	25.05.2012	Active
2.	Sheoraj Foods Management Pvt Ltd	Private	19.11.2012	Struck off
83. Writ Petition No.22231 of 2019 Petitioner-Abdul Hasnain Siddiqui DIN-06569473				
1.	FMC Satya Projects Pvt Ltd	Private	09.05.2013	Struck off
84. Writ Petition No.22387 of 2019 Petitioner-Vijay Kumar Gupta DIN-02118646				
1.	Vamdev Soft Solutions Pvt Ltd	Private	15.09.2005	Struck off
85. Writ Petition No.22395 of 2019 Petitioner-Manisha Vaisli DIN-03577990				
1.	Steem Placement and Consulting Services Pvt Ltd	Private	18.10.2008	Active
2.	Esteem Placement and Consulting Services Pvt Ltd	Private	02.05.2012	Struck off
86. Writ Petition No.22400 of 2019 Petitioner-Yogesh Kumar Upadhyay DIN-02890726				
1.	FMS Multiservies Pvt Ltd	Private	04.02.2010	Struck off
2.	Impetus Patron Multisales Pvt Ltd	Private	10.12.2011	Struck off
87. Writ Petition No.22475 of 2019 Petitioner-1 Neeraj Bhasin DIN-01554289				
1.	Lebeyon Marketing Communications Pvt Ltd	Private	11.04.2007	Active
2.	Bindass Event Pvt Ltd	Private	26.04.2013	Struck off
Petitioner-2 Sushma Verma DIN-01355075				
1.	Lebeyon Marketing Communications Pvt Ltd	Private	11.04.2007	Active
2.	Bindass Event Pvt Ltd	Private	26.04.2013	Struck off
3.	G. S. Exhibitions Pvt Ltd	Private	05.10.2010	Active
88. Writ Petition No.22481 of 2019 Petitioner-Madan Pal Singh DIN-02453202				
1.	Virat Infrapower Pvt Ltd	Private	05.02.2009	Struck off
2.	Veg Edibles Pvt Ltd	Private	17.07.2012	Struck off
3.	Atlas Infrapromoters Pvt Ltd	Private	05.05.2009	Active
89. Writ Petition No.22560 of 2019 Petitioner-1 Alok Kumar Singh DIN-03119132 Petitioner-2 Piyush Kumar Singh DIN-03152890				
1.	Pratap Diagnostic Pvt Ltd	Private	16.09.2011	Active
90. Writ Petition No.22661 of 2019 Petitioner-Mohd Arif DIN-05138765				
1.	Banaras Bone and Proteins Pvt Ltd	Private	14.10.2004	Active

91. Writ Petition No.22877 of 2019				
Petitioner-Kunwar Ambar Singh		DIN-06617046		
1.	Srijankashi Infra Pvt Ltd	Private	15.07.2013	
2.	Fly Smart Housing Pvt Ltd	Private	-	Struck off
92. Writ Petition No.23107 of 2019				
Petitioner-Rishabh Krishna Sachan		DIN-05103501		
1.	Ayan Projects Pvt Ltd	Private	13.09.2011	Active
2.	Shreekrishna Contractors Pvt Ltd	Private	21.10.2011	Struck off
93. Writ Petition No.23447 of 2019				
Petitioner-1 Sharda Yadav		DIN-00159754		
Petitioner-2 Saroj Yadav		DIN-01264577		
1.	Kushi Nagar Travels and Tours Pvt Ltd	Private	03.11.2005	Active
94. Writ Petition No.23606 of 2019				
Petitioner-Tanya Jaspal		DIN-01346205		
1.	Tanya Hospitality Pvt Ltd	Private	25.07.2007	Active
2.	RST Retail Pvt Ltd	Private	06.02.2014	Struck off
95. Writ Petition No.23767 of 2019				
Petitioner-Neeta Swarup		DIN-00226488		
1.	Adhishree Steels Ltd	Public	23.11.2011	Struck off
2.	Raghav Strips Ltd	Public	04.09.1995	Active
3.	Kamakhya Steels Pvt Ltd	Private	09.08.1995	Active
4.	Shyam Shyama Jaggery Cold Storage Pvt Ltd	Private	14.01.2005	Active
5.	Shahji Vishnu Swarup and Sons Contractors Pvt Ltd	Private	24.05.2010	Active
96. Writ Petition No.23905 of 2019				
Petitioner-Amit Pratap Singh		DIN-01986026		
1.	Real Value Financial Services Pvt Ltd	Private	19.01.2012	Struck off
2.	Real Value Infrabuild Pvt Ltd	Private	19.04.2012	Struck off
3.	Real Value IT Solutions Pvt Ltd	Private	11.04.2012	Struck off
4.	N. J. Financial Consultants and Developers Ltd	Public	30.05.2008	Active
97. Writ Petition No.23916 of 2019				
Petitioner-1 Pawan Agarwal		DIN-00716847		
1.	Agrawal's Lifeline Hospital and Trauma Centre Pvt Ltd	Private	24.08.2004	Active
98. Writ Petition No.23932 of 2019				
Petitioner-Sarita Mishra		DIN-02899301		
1.	Aparna Consumer Services Pvt Ltd	Private	01.04.2008	Active
2.	A. R. Multiservices Pvt Ltd	Private	18.02.2010	Struck off
99. Writ Petition No.23936 of 2019				
Petitioner-Aparna Mishra		DIN-02021652		
1.	Aparna Consumer Services Pvt Ltd	Private	01.04.2008	Active
2.	AABSadbhawana Hospital Pvt Ltd	Private	26.03.2014	Active

3.	Aster Infraheights Pvt Ltd	Private	03.02.2012	Struck off
4.	Highvision Educations Pvt Ltd	Private	23.06.2010	-
100. Writ Petition No.23987 of 2019 Petitioner-1 Karan Chand Jain DIN-00254315 Petitioner-2 Sohan Ram Panwar DIN-01129654				
1.	Ablaze Life Science Pvt Ltd	Private	16.07.2013	Struck off
2.	Haveli Tours and Travels Pvt Ltd	Private	20.03.2003	Active
3.	Vridhi Infradevelopers Ltd	Public	19.06.2005	Active
101. Writ Petition No.24196 of 2019 Petitioner-Rakesh Kumar Verma DIN-06696013				
1.	Turtledoves International Pvt Ltd	Private	23.12.2013	Struck off
2.	Regania Creations Pvt Ltd (OPC)	Private	12.12.2014	Active
102. Writ Petition No.24240 of 2019 Petitioner-Masood Alam DIN-02208043				
1.	Happy Living Products Services Pvt Ltd	Private	12.01.2012	Struck off
2.	Monarch Buildwell Pvt Ltd	Private	27.12.2012	Active
3.	Silvasa Infraventures Pvt Ltd	Private	12.02.2015	Active
4.	Silvasa Suncity Pvt Ltd	Private	17.04.2015	Active
5.	Silvasa Infracon Pvt Ltd	Private	02.02.2015	Active
6.	Lubnas Overseas Pvt Ltd	Private	12.10.2015	Active
7.	Astralsylwasa Township Pvt Ltd	Private	23.02.2017	Active
103. Writ Petition No.24595 of 2019 Petitioner-1 Rekha Tripathi DIN-03328470 Petitioner-2 Shailly Seth DIN-03329979				
1.	Webdimensionz Technologies Pvt Ltd	Private	14.07.2009	Struck off
Petitioner-1 Rekha Tripathi DIN-03328470				
1.	Rapid Matrimonial Services Pvt Ltd	Private	-	Active
104. Writ Petition No.24618 of 2019 Petitioner-Mahaviri Devi DIN-06509677				
1.	BL Buildcon Private Ltd	Private	22.04.2013	Active
2.	K.R. Panwari Ice and Cold Storage Pvt Ltd	Private	05.01.2006	Active
105. Writ Petition No.26529 of 2019 Petitioner-Sumit Verma DIN-02528970				
1.	Tanya Infratech Pvt Ltd	Private	01.07.2011	Struck off
2.	Ayush Ornaments Pvt Ltd	Private	11.05.2009	Active
106. Writ Petition No.26775 of 2019 Petitioner-1 Anup Kumar Pachauri DIN-01900544 Petitioner-2 Santosh Sharma DIN-02573617				
1.	Sarswat Telecom Pvt Ltd	Private	19.01.2006	Struck off
107. Writ Petition No.28569 of 2019 Petitioner-Rakesh Pathak DIN-03316712				
1.	Vertex Real Estate Promoters (India)	Private	14.05.2007	Struck off
108. Writ Petition No.33232 of 2019				

Petitioner-1 Sachin Kapoor		DIN-00989591		
Petitioner-2 Harmeet Kapoor		DIN-01153391		
1.	Malik Print and Pack Private Ltd	Private	21.12.1987	Struck off
109. Writ Petition No.33354 of 2019				
Petitioner-1 Sajan Kapoor		DIN-00989565		
1.	Malik Products Pvt Ltd	Private	03.07.1997	Struck off
2.	Malik Print and Pack Pvt Ltd	Private	21.12.1987	Struck off
Petitioner-2 Shweta Kapoor		DIN-00989621		
1.	Malik Products Pvt Ltd	Private	03.07.1997	Struck off
110. Writ Petition No.33355 of 2019				
Petitioner-Mayank Mehra		DIN-03368090		
1.	Corpseed Pvt Ltd	Private	12.03.2018	Active
2.	Ultiwise Consultants LLP	-	-	Active
3.	Anmol Civil Contractors Pvt Ltd	Private	-	Active
4.	Reverence Services Pvt Ltd	Private	-	Struck off
111. Writ Petition No.33595 of 2019				
Petitioner-1 Aditya Narayan Pande		DIN-02099706		
Petitioner-2 Usha Pandey		DIN-01244842		
1.	Adicon Projects Pvt Ltd	Private	14.02.2003	Struck off
112. Writ Petition No.35065 of 2019				
Petitioner-Kamla Ram Sharma		DIN-06663572		
1.	Cygnat Construction Pvt Ltd	Private	30.08.2013	Struck off
2.	KV Shopgood Pvt Ltd	Private	-	-
113. Writ Petition No.24942 of 2019				
Petitioner-Sanjesh Yadav		DIN-01873656		
1.	Etah Exports Pvt Ltd	Private	26.05.1998	Struck off
2.	Progressive Infra Developers Pvt Ltd	Private	08.02.2011	Active
3.	Kaiser Construction Engineers and Contractor Pvt Ltd	Private	02.03.2015	Active
114. Writ Petition No.25079 of 2019				
1. Shweta Dubey		DIN-06756625		
1.	Avritti Retail Pvt Ltd	Private	07.08.2013	Struck off
115. Writ Petition No.25120 of 2019				
Petitioner-1 Laxmi Kant		DIN-00674357		
1.	Swarna Cosmetics Company Pvt Ltd	Private	13.10.2010	Struck off
2.	Sai Swarna Seeds Company Pvt Ltd	Private	29.02.2008	Struck off
3.	Swarna Herbals Pvt Ltd	Private	13.03.2007	Active
Petitioner-2 Prerna Yadav		DIN-03192463		
1.	Swarna Cosmetics Company Pvt Ltd	Private	13.10.2010	Struck off
2.	Swarna Herbals Pvt Ltd	Private	13.03.2007	Active
116. Writ Petition No.25321 of 2019				
Petitioner-Kshitij Arora		DIN-05285130		
1.	KRK Buildcon Pvt Ltd	Private	25.05.2012	Struck off

2.	Lajivida Pvt Ltd	Private	25.09.2018	-
117. Writ Petition No.25336 of 2019 Petitioner-1 Praveen Kumar DIN-01223758				
1.	Jawla Advance Technology LLP	LLP	-	Active
2.	Pearline Poultries Pvt Ltd	Private	20.06.1970	Struck off
3.	EVS Product Pvt Ltd	Private	-	Active
4.	Jawla Engineering Pvt Ltd	Private	-	Active
Petitioner-2 Prasan Kumar Jawla DIN-06730654				
1.	Harar Foods Products Pvt Ltd	Private	-	Active
2.	Pearline Poultries Pvt Ltd	Private	20.06.1970	Struck off
3.	R.R.E. Foods and Soft Drinks Pvt Ltd	Private	-	Active
4.	EVS Product Pvt Ltd	Private	-	Active
118.Writ Petition No.25462 of 2019 Petitioner-Dileep Singh DIN-01331664				
1.	Chahar Agricultural Equipments Pvt Ltd	Private	12.03.2016	Active
2.	Vardaan Infracontractors Pvt Ltd	Private	21.06.2013	Struck off
3.	Krishna Infratown Pvt Ltd	Private	15.06.2012	Active
4.	Shree Govind Infraestate Pvt Ltd	Private	11.11.2010	Active
119. Writ Petition No.25646 of 2019 Petitioner-Vishesh Tyagi DIN-03547327				
1.	Real Heads Developers Pvt Ltd	Private	20.06.2011	Struck off
2.	Alpha Fit Institute Pvt Ltd	Private	30.11.2015	Active
3.	Legacy Housing Pvt Ltd	Private	08.04.2015	Active
4.	Red Square Developers Pvt Ltd	Private	26.03.2013	Active
120. Writ Petition No.25801 of 2019 Petitioner-Harshvardhan Samor DIN-02659146				
1.	Privy Mercantile Pvt Ltd	Private	15.03.2011	Active
2.	Three Ace Foodworks Pvt Ltd	Private	12.02.2013	Struck off
121. Writ Petition No.25938 of 2019 Petitioner-Mainnak Aggarwal DIN-06866540				
1.	Welcome International Limited	Public	04.06.2004	Struck off
2.	Feast and Fizzy Hospitality Pvt Ltd	Private	15.10.2018	Active
122. Writ Petition No.26021 of 2019 Petitioner-Shivam Barnwal DIN-06481328				
1.	Suprita Infraventures Pvt Ltd	Private	01.07.2013	Struck off
123. Writ Petition No.26042 of 2019 Petitioner-1 Syed Naved Faisal DIN-00196316				
1.	Delta Garments Pvt Ltd	Private	02.09.2011	Active
2.	Qaiser Garments Pvt Ltd	Private	06.06.2006	Active
3.	Abeer Leather Pvt Ltd	Private	06.06.2006	Active
4.	Hasan Leather Pvt Ltd	Private	03.01.2006	Struck off
5.	Cosmos Eco Engineering Pvt Ltd	Private	15.03.2014	Struck off

6.	Singhal Electrical Control Pvt Ltd	Private	12.08.1996	Active
Petitioner-2 Nazma Begum		DIN-00284911		
1.	Delta Garments Pvt Ltd	Private	27.08.2004	Active
2.	Runa Fashions Pvt Ltd	Private	19.05.2011	Struck off
3.	Cosmos Eco Engineering Pvt Ltd	Private	15.03.2014	Struck off
4.	Singhal Electrical Control Pvt Ltd	Private	12.08.1996	Active
Petitioner-3 Shekhar Singhal Dharampal		DIN-01866504		
1.	Singhal Electrical Control Pvt Ltd	Private	12.08.1996	Active
Petitioner-4 Pravina Kumar		DIN-06997399		
1.	Singhal Electrical Control Pvt Ltd	Private	12.08.1996	Active
124. Writ Petition No.26059 of 2019				
Petitioner-1 Jitendra Kumar		DIN-05271309		
Petitioner-2 Nutan Rani		DIN-07454896		
1.	Bran Eduvision Pvt Ltd	Private	22.05.2012	Struck off
125. Writ Petition No.26060 of 2019				
Petitioner-1 Sanjiv Kumar		DIN-03481998		
Petitioner-2 Ujjawal Kumar		DIN-03481276		
1.	Crystal Learning Solutions Pvt Ltd	Private	18.05.2011	Struck off
126. Writ Petition No.26104 of 2019				
Petitioner-Aryan Nagpal		DIN-06648868		
1.	Aarna Buildtech Pvt Ltd	Private	27.08.2013	Struck off
2.	Nupur Arora Fashion House Pvt Ltd	Private	-	Active
3.	Arora Motocorp Pvt Ltd	Private	-	Active
4.	Nanak Hotels Pvt Ltd	Private	-	Active
5.	Sun Infratrade Pvt Ltd	Private	-	Active
127. Writ Petition No.27609 of 2019				
Petitioner-Pooja Goyal		DIN-06408867		
1.	Awesome Business Pvt Ltd	Private	27.11.2012	Struck off
2.	Eco Deltech LLP	LLP	30.01.2012	Active
128. Writ Petition No.27613 of 2019				
Petitioner-Vinay Goyal		DIN- 00572494		
1.	Awesome Business Pvt Ltd	Private	27.11.2012	Struck off
2.	Eco Deltech LLP	LLP	30.01.2012	Active
129. Writ Petition No.28634 of 2019				
Petitioner-1 Ashok Kumar Sahu		DIN-00378985		
1.	Ashwani Agri Farms Pvt Ltd	Private	-	Active
2.	H.L. Agro Products Pvt Ltd	Private	-	Active
3.	H. L. Farms Pvt Ltd	Private	09.05.1997	Active
4.	H.L. Films Pvt Ltd	Private	-	Active
5.	B. R. Alloys Pvt Ltd	Private	-	Active
6.	Navsheel Standard Constructions Pvt Ltd	Private	-	Active
7.	Dhanraksha Merchandise Pvt Ltd	Private	26.03.2009	Struck off

8.	Ganpati Commodeal Pvt Ltd	Private	-	Active
9.	Copcoan Vyapaar Pvt Ltd	Private	-	Active
Petitioner-2 Akhilesh Kumar Sahu		DIN-00378990		
1.	Ashwani Agri Farms Pvt Ltd	Private	-	Active
2.	H.L. Agro Products Pvt Ltd	Private	-	Active
3.	H. L. Farms Pvt Ltd	Private	09.05.1997	Active
4.	H.L. Films Pvt Ltd	Private	-	Active
5.	Ashwani Pan Products Pvt Ltd	Private	-	Active
6.	Dhanraksha Merchandise Pvt Ltd	Private	26.03.2009	Struck off
7.	Ganpati Commodeal Pvt Ltd	Private	-	Active
8.	Copcoan Vyapaar Pvt Ltd	Private	-	Active
9.	Jivitesh Commercial Pvt Ltd	Private	-	Active
10.	Halifax Tiecomm Pvt Ltd	Private	-	Active
11.	Nak Securities Ltd	Public	-	Active
130. Writ Petitioner No.28809 of 2019				
Petitioner-1 Akhilesh Kumar Agarwal		DIN-01049792		
Petitioner-2 Vinod Kumar Agarwal		DIN-00983933		
1.	Power Fabricators (India) Pvt Ltd	Private	13.01.2006	Active
131. Writ Petition No.28829 of 2019				
Petitioner-Ashok Kumar Yadav		DIN-02640237		
1.	Maa Vindhyavasini Infrabuild Pvt Ltd	Private	26.04.2012	Struck off
2.	Amisha Polymers Pvt Ltd	Private	21.05.2009	Active
132. Writ Petition No.29297 of 2019				
Petitioner-1 Sanjiv Gupta		DIN-00546539		
1.	Bankey Bihari Infratech Pvt Ltd	Private	10.09.2010	Active
2.	Radhey Shyam Infraproject Pvt Ltd	Private	04.05.2011	Struck off
Petitioner-2 Deepak Gupta		DIN-00555302		
1.	Bankey Bihari Infratech Pvt Ltd	Private	10.09.2010	Active
2.	Radhey Shyam Infraproject Pvt Ltd	Private	04.05.2011	Struck off
3.	Paarola Developers Pvt Ltd	Private	21.12.2009	Active
133. Writ Petition No.29986 of 2019				
Petitioner-1 Kshitij Singh		DIN-0654482		
Petitioner-2 Rekha Singh		DIN-06544833		
1.	Nanvag Informatics and Consultancy Services Pvt Ltd	Private	29.04.2013	Struck off
2.	Nanvag Infra and Hospitality Ventures Pvt Ltd	Private	12.04.2013	Active
134. Writ Petition No.30053 of 2019				
Petitioner-1 Ashwani Kumar Singh		DIN-00646965		
Petitioner-2 Ratan Kumar Singh		DIN-00767307		
Petitioner-3 Ritu Singh		DIN-00647005		
Petitioner-4 Shyama Singh		DIN-00647065		
1.	MGM Fitness Centre Pvt Ltd	Private	08.12.1997	Active
2.	Charakdhar Diagnostics Pvt Ltd	Private	17.11.1997	Active

135. Writ Petition No.30578 of 2019				
Petitioner-Varun Yadav		DIN-03081332		
1.	SPV Info Solutions Pvt Ltd	Private	16.11.2010	Struck off
2.	Propell Infraventures Pvt Ltd	Private	03.06.2010	Active
3.	Terracapita Pvt Ltd	Private	13.04.2011	Active
4.	Terracapita Land Pvt Ltd	Private	19.04.2012	Active
136. Writ Petition No.30842 of 2019				
Petitioner-1 Mayank Aggarwal		DIN-03375673		
Petitioner-2 Pradeep Singh		DIN-00906876		
1.	CSK Facility Management Pvt Ltd	Private	-	Active
2.	Stag Club Pvt Ltd	Private	13.02.2013	Struck off
3.	CSK Hospitality Services Pvt Ltd	Private	-	Active
4.	Shafali Hospitality Pvt Ltd	Private	-	Active
137. Writ Petition No.31091 of 2019				
Petitioner-1 Anil Sharma		DIN-03266334		
Petitioner-4 Vikas Sharma		DIN-03266641		
1.	Vishwakarma Infrapromoters Pvt Ltd	Private	11.10.2010	Struck off
2.	M R R Infraland Developers Pvt Ltd	Private	06.05.2013	Active
Petitioner-2 Anil Chaudhary		DIN-03266664		
1.	Vishwakarma Infrapromoters Pvt Ltd	Private	11.10.2010	Struck off
Petitioner-3 Bharat Parashar		DIN-03266648		
1.	Vishwakarma Infrapromoters Pvt Ltd	Private	11.10.2010	Struck off
2.	Maa Kamakhya Infravision Pvt Ltd	Private	07.07.2004	Active
138. Writ Petition No.31124 of 2019				
Petitioner-Pankaj Rana		DIN-01754418		
1.	A to Z Habitat Maintenance and Services Pvt Ltd	Private	15.02.2011	Struck off
2.	A to Z Mines Pvt Ltd	Private	27.03.2012	Active
3.	Gleaming Outlook Education Ltd	Public	26.12.2013	Active
139. Writ Petition No.31177 of 2019				
Petitioner-Amit Saxena		DIN-06587556		
1.	A P Softserve Pvt Ltd	Private	01.11.2012	Struck off
2.	DST Infracons Developers Pvt Ltd	Private	03.02.2014	Active
140. Writ Petition No.31651 of 2019				
Petitioner-Rakesh Shukla		DIN-01588742		
1.	Shukla Shelters Pvt Ltd	Private	13.06.2006	Active
2.	R. B. Infraheight Pvt Ltd	Private	14.05.2012	Active
3.	R. R. Buildhome Pvt Ltd	Private	13.02.2013	Struck off
141. Writ Petition No.31689 of 2019				
Petitioner-Manoj Jitendra Singh		DIN-06567263		
1.	Tetra Infratech Pvt Ltd	Private	18.06.2013	Struck off
2.	Triveni Constructive Solutions Pvt Ltd	Private	24.02.2016	Active
142. Writ Petition No.31698 of 2019				

Petitioner-1 Praveen Sharma		DIN-00877710		
Petitioner-2 Sunita Sharma		DIN-00877851		
1.	Prasunco Pharmaceuticals Pvt Ltd	Private	30.01.2012	Struck off
143. Writ Petition No.31725 of 2019				
Petitioner-1 Munni Devi Jaiswal		DIN-02846625		
Petitioner-2 Prem Chandra Jaiswal		DIN-02039726		
1.	Speed Rollers Pvt Ltd	Private	19.10.1994	Struck off
Petitioner-2 Prem Chandra Jaiswal		DIN-02039726		
1.	Hari Om Steel Pvt Ltd	Private	12.07.1995	Active
2.	Shakumbhari Alloys Steel Pvt Ltd	Private	17.12.1999	Active
144. Writ Petition No.31845 of 2019				
Petitioner-Naveen Tripathi		DIN-03326958		
1.	Tristar Infotech Pvt Ltd	Private	03.09.2010	Struck off
2.	Pranav Softech Pvt Ltd	Private	07.01.2011	Active
145. Writ Petition No.31923 of 2019				
Petitioner-Dinesh Kumar Agrawal		DIN-03520529		
1.	Triveni Infraestate Pvt Ltd	Private	03.09.2010	Active
2.	Amity Infra Developers Pvt Ltd	Private	13.05.2011	Active
3.	D Kumars Infraprojects Pvt Ltd	Private	29.07.2011	Active
4.	Triveni Infracity Pvt Ltd	Private	04.01.2013	Active
5.	Charmswood Infraestate Pvt Ltd	Private	24.11.2011	Struck off
146. Writ Petition No.31967 of 2019				
Petitioner-Rajat Rajput		DIN-05183084		
1.	Sugam Buildwell Pvt Ltd	Private	31.01.2012	Struck off
2.	Balize Constructions Pvt Ltd	Private	11.04.2013	Active
147. Writ Petition No.32004 of 2019				
Petitioner-Satish Chandra		DIN-05269229		
1.	Locus Info Pvt Ltd	Private	24.09.2012	Struck off
148. Writ Petition No.32330 of 2019				
Petitioner-Baburam		DIN-06550823		
1.	Kalpanam Buildtech Pvt Ltd	Private	16.05.2013	Struck off
2.	Puremax Consumer Products Pvt Ltd	Private	20.03.2017	Active
149. Writ Petition No.32569 of 2019				
Petitioner-Rakesh Kumar		DIN-06530361		
1.	B L Buildcon Pvt Ltd	Private	22.04.2013	Under process of striking off
150. Writ Petition No.32645 of 2019				
Petitioner-Amit Mohan Srivastava		DIN-03368505		
1.	Moam Infrastructure Pvt Ltd	Private	22.05.2012	Struck off
151. Writ Petition No.33707 of 2019				
Petitioner-Pawan Kumar		DIN-01453554		
1.	Hotel Pawan Palace Private Ltd	Private	24.07.2007	Active
2.	Purvanchal Hotels & Resorts Pvt Ltd	Private	11.09.2012	Struck off
152. Writ Petition No.34283 of 2019				

Petitioner-Satya Bhushan Shrichand Gola DIN-03621441				
1.	Verve Communication Pvt Ltd	Private	28.09.2011	Struck off
2.	Zestone Solutions Pvt Ltd	Private	24.03.2014	Active
153. Writ Petition No.34563 of 2019				
Petitioner-1 Shashank Mishra		DIN-03424403		
Petitioner-2 Nirbhay Shukla		DIN-03424440		
1.	Srijan Architects Pvt Ltd	Private	18.02.2011	Active
2.	Srijan Infrabuild Pvt Ltd	Private	22.02.2011	Struck off
154. Writ Petition No.34582 of 2019				
Petitioner-1 Kamal Balani		DIN-02569186		
Petitioner-2 Sunita Balani		DIN-02576297		
1.	KDJB Carriers Pvt Ltd	Private	27.03.2009	Under Process of striking off
2.	Aries Telemedia Ventures Pvt Ltd	Private	26.08.2013	Struck off
3.	Aries Marketers Pvt Ltd	Private	08.06.1995	Active
4.	Divyam Liquors LLP	-	28.03.2019	Active
155. Writ Petition No.35479 of 2019				
Petitioner-Madhu Garg		DIN-0026840		
1.	Arg Pipes Pvt Ltd	Private	22.04.2013	Struck off
156. Writ Petition No.35681 of 2019				
Petitioner-Amit Goel		DIN-06549720		
1.	Addressoptions Infra Pvt Ltd	Private	17.05.2013	Struck off
157. Writ Petition No.35792 of 2019				
Petitioner-1 Anil Kumar Verma		DIN-06477675		
Petitioner-2 Saroj Verma		DIN-06477687		
Petitioner-3 Ankush Verma		DIN-06793482		
1.	Noble Care Hospital Pvt Ltd	Private	31.01.2013	Active
158. Writ Petition No.36608 of 2019				
Petitioner-1 Chandra Bhushan Pandey		DIN-05220438		
Petitioner-2 Neelam		DIN-05225961		
1.	RJT Mass Communication Pvt Ltd	Private	19.07.2018	Active
2.	RGC Institutional (India) Pvt Ltd	Private	23.03.2012	Struck off
159. Writ Petition No.38175 of 2019				
Petitioner-1 Pushpendra Kumar Awasthi		DIN-06494157		
Petitioner-2 Dhirendra Bahadur Singh		DIN-06494165		
Petitioner-3 Sameer Akhtar		DIN-06494177		
1.	Edcora Bussiness Management Pvt Ltd	Private	14.06.2017	Active
2.	Sykas Systems and Software Pvt Ltd	Private	25.02.2013	Struck off
160. Writ Petition No.19282 of 2019				
Petitioner-1 Krishna Kumar Bhardwaj		DIN-06447710		
Petitioner-2 Jyoti Bhardwaj		DIN-06738372		
1.	Bhardwaj Infracon Pvt Ltd	Private	26.12.2012	Struck Off

11. We may also notice that in some writ petitions, vires of Section 164 (2) of Act, 2013 has been challenged on the ground that it is arbitrary and

discriminatory, violative of Articles 14 and 19 (1) (g) of the Constitution of India.

12. Before looking into rival submissions it would be appropriate to have a bird-eye view of the relevant Statutes, applicable to the issues raised in these petitions.

13. Earlier, Act, 1956 held the field. It was enacted to consolidate and amend laws relating to Companies and certain other associations. “Company” was defined under Section 2 (10) of Act, 1956 and read as under :

“(10) "company" means a company as defined in section 3”

14. Similarly, the term 'Director' was defined under Section 2 (13) of Act, 1956 and read as under :

“(13) “director” includes any person occupying the position of director, by whatever name called.”

15. Section 3 talked of “Company”, “Existing Company”, “Public Company” and “Private Company” and defined the above Companies as under :

*“(i) "**company**" means a company formed and registered under this Act or an existing company as defined in clause (ii):*

*(ii) "**existing company**" means a company formed and registered under any of the previous companies laws specified below:—*

(a) any Act or Acts relating to companies in force before the Indian Companies Act, 1866 (10 of 1866) and repealed by that Act;

(b) the Indian Companies Act, 1866 (10 of 1866);

(c) the Indian Companies Act, 1882 (6 of 1882);

(d) the Indian Companies Act, 1913 (7 of 1913);

(e) the Registration of Transferred Companies Ordinance, 1942 (54 of 1942); and

(f) any law corresponding to any of the Act or the Ordinance aforesaid and in force-

(1) in the merged territories or in a Part B State (other than the State of Jammu and Kashmir), or any part thereof, before the extension thereto of the Indian Companies Act, 1913 (7 of 1913); or

(2) in the State of Jammu and Kashmir, or any part thereof, before the commencement of the Jammu and Kashmir (Extension of Laws) Act, 1956 (62 of 1956), in so far as banking, insurance and financial corporations are concerned, and before the commencement of the Central Laws (Extension to Jammu and Kashmir) Act, 1968 (25 of 1968) in so far as other corporations are concerned;

(g) the Portuguese Commercial Code, in so far as it relates to “sociedades

anonimas”;

(iii) "**private company**" means a company which has a minimum paid-up capital of one lakh rupees or such higher paid-up capital as may be prescribed, and by its articles,-(a) restricts the right to transfer its shares, if any;

(b) limits the number of its members to fifty not including —

(i) persons who are in the employment of the company, and

(ii) persons who, having been formerly in the employment of the company, were members of the company while in that

employment and have continued to be members after the employment ceased; and

(c) prohibits any invitation to the public to subscribe for any shares in, or debentures of, the company;

(d) prohibits any invitation or acceptance of deposits from persons other than its members, directors or their relatives.

Provided that where two or more persons hold one or more shares in a company jointly, they shall, for the purposes of this definition, be treated as a single member;

(iv) "**public company**" means a company which-

(a) is not a private company;

(b) has a minimum paid-up capital of five lakh rupees or such higher paid-up capital, as may be prescribed;

(c) is a private company which is a subsidiary of a company which is not a private company.” (emphasis added)

16. Chapter II Part VI of Act, 1956 dealt with Directors. Section 252 provided minimum number of Directors in a 'Public Company' and other Companies and it read as under :

“Minimum number of directors.-(1) Every public company (other than a public company which has become such by virtue of section 43(A) shall have at least three directors:

Provided that a public company having,-

(a) a paid-up capital of five crore rupees or more;

(b) one thousand or more small shareholders, may have a director elected by such small shareholders in the manner as may be prescribed.

Explanation.-For the purpose of this sub-section “small shareholders” means a shareholder holding shares of nominal value of twenty thousand rupees or less in a public company to which this section applies.

(2) Every other company shall have at least two directors.

(3) The directors of a company collectively are referred to in this Act as the "Board of directors" or "Board".

(emphasis added)

17. Section 253 provided that only an individual shall be appointed as “Director” and nobody corporate, association or firm shall be appointed as Director of a Company. A proviso was inserted in Section 253 by Section 2 of Act 23 of 2006 w.e.f. 01.11.2006 and it provided that no person shall be appointed as “Director” of a Company unless he has been allotted a Director Identification Number (DIN) under Section 266B.

18. Sections 266A, 266B, 266C, 266D, 266E, 266F, 266G were inserted in Act, 1956 vide Section 3 of Act, 23 of 2006 w.e.f. 01.11.2006 and they all dealt with “DIN” and read as under :

“266.A. Application for allotment of Director Identification Number:-
Every-

(a) individual, intending to be appointed as director of a company; or

(b) director of a company appointed before the commencement of the Companies (Amendment) Act, 2006,

shall make an application for allotment of Director Identification Number to the Central Government in such form, and manner (including electronic form) alongwith such fee, as may be prescribed;

Provided that every director, appointed before the commencement of the Companies (Amendment) Act, 2006, shall make, within sixty days of the commencement of the said Act, such application to the Central Government:

Provided further that every applicant, who has made an application under this section for allotment of Director Identification Number, may be appointed as a director in a company, or, hold office as director in a company till such time such applicant has been allotted Director Identification Number.

266B. Allotment of Director Identification Number.-The Central Government shall, within one month from the receipt of the application under section 266A, allot a Director Identification Number to an applicant, in such manner as may be prescribed.

266C. Prohibition to obtain more than one Director Identification Number.-No individual, who had already been allotted a Director Identification Number under section 266B, shall apply, obtain or possess another Director Identification Number.

266D. Obligation of director to intimate Director Identification Number to concerned company or companies.-Every existing director shall, within one month of the receipt of Director Identification Number from the Central Government, intimate his Director Identification Number to the company or all companies wherein he is a director.

266E. Obligation of company to inform Director Identification Number to Registrar.-(1) Every company shall, within one week of the receipt of intimation under section 266D, furnish the Director Identification Number of all its directors to the Registrar or any other officer or authority as may be specified by the Central Government.

(2) Every intimation under sub-section (1) shall be furnished in such form and manner as may be prescribed.

266F. Obligation to indicate Director Identification Number.-Every person or company, while furnishing any return, information or particulars as are required to be furnished under this Act, shall quote the Director Identification Number in such return, information and particulars in case such return, information or particulars relate to the director or contain any reference of the director.

266G. Penalty for contravention of provisions of section 266A or section 266C or section 266D or section 266E.-If any individual or director, referred to in section 266A or section 266C or section 266D or a company referred to in section 266E, contravenes any of the provisions of those sections, every such individual or director or the company, as the case may be, who or which, is in default, shall be punishable with fine which may extend to five thousand rupees and where the contravention is a continuing one, with a further fine which may extend to five hundred rupees for every day after the first during which the contravention continues.

Explanation.-For the purposes of sections 266A, 266B, 266C, 266D, 266E and 266F, the Director Identification Number means an identification number which the Central Government may allot to any individual, intending to be appointed as director or to any existing directors of a company, for the purpose of his identification as such."

(emphasis added)

19. Section 274 of Act, 1956 dealt with disqualification of Directors. Earlier, disqualifications of 'Director' under Section 274 of Act, 1956 were described in Clause (a) to (f). Subsequently by Act 53 of 2000, Section 132 w.e.f. 13.12.2000 Clause (g) was inserted which included two more kinds of disqualifications. Section 274 as amended by Act 53 of 2000 w.e.f. 13.12.2000, read as under :-

"274. Disqualification of directors.-(1) A person shall not be capable of being appointed director of a company, if -

(a) he has been found to be of unsound mind by a Court of competent jurisdiction and the finding is in force;

(b) he is an undischarged insolvent;

(c) he has applied to be adjudicated as an insolvent and his application is pending;

(d) he has been convicted by a Court of any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months, and a period of five years has not elapsed from the date of expiry of the sentence;

(e) he has not paid any call in respect of shares of the company held by him, whether alone or jointly with others, and six months have elapsed from the last day fixed for the payment of the call; or

(f) an order disqualifying him for appointment as director has been passed by a Court in pursuance of section 203 and is in force, unless the leave of the Court has been obtained for his appointment in pursuance of that section;

(g) such person is already a director of a public company which,-

(A) has not filed the annual accounts and annual returns for any continuous three financial years commencing on and after the first day of April, 1999; or

(B) has failed to repay its deposit or interest thereon on due date or redeem its debentures on due date or pay dividend and such failure continues for one year or more:

Provided that such person shall not be eligible to be appointed as a director of any other public company for a period of five years from the date on which such public company, in which he is a director failed to file annual accounts and annual returns under sub-clause (A) or has failed to repay its deposit or interest or redeem its debentures on due date or pay dividend referred to in clause (B).

(2) The Central Government may, by notification in the Official Gazette, remove -

(a) the disqualification incurred by any person in virtue of clause (d) of sub-section (1), either generally or in relation to any company or companies specified in the notification; or

(b) the disqualification incurred by any person in virtue of clause (e) of sub-section (1).

(3) A private company which is not a subsidiary of a public company may, by its articles, provide that a person shall be disqualified for appointment as a director on any grounds in addition to those specified in sub-section (1)."

(emphasis added)

20. The obligation to file Annual Accounts and Annual Returns was provided in Section 210 of Act, 1956. Sub-section 5 thereof declares that non-compliance of Section 210 shall be an offence on the part of any person being Director of a Company and he shall be punished with imprisonment for a term which may extend to six months, or with fine which was earlier upto Rs.1000/- and by Act 53 of 2000 w.e.f. 13.12.2000, increased to Rs.10,000/- or with both. Section 210 of Act, 1956 reads as under :-

"210. Annual accounts and balance-sheet.-(1) At every annual general meeting of a company held in pursuance of section 166, the Board of directors of the company shall lay before the company-

(a) a balance sheet as at the end of the period specified in sub-section (3); and

(b) a profit and loss account for that period.

(2) *In the case of a company not carrying on business for profit, an income and expenditure account shall be laid before the company at its annual general meeting instead of a profit and loss account, and all references to "profit and loss account", "profit" and "loss" in this section and elsewhere in this Act, shall be construed, in relation to such a company, as references respectively to the "income and expenditure account", "the excess of income over expenditure", and "the excess of expenditure over income".*

(3) *The profit and loss account shall relate-*

(a) *in the case of the first annual general meeting of the company, to the period beginning with the incorporation of the company and ending with a day which shall not precede the day of the meeting by more than nine months; and*

(b) *in the case of any subsequent annual general meeting of the company, to the period beginning with the day immediately after the period for which the account was last submitted and ending with a day which shall not precede the day of the meeting by more than six months, or in cases where an extension of time has been granted for holding the meeting under the second proviso to sub-section (1) of section 166, by more than six months and the extension so granted.*

(4) *The period to which the account aforesaid relates is referred to in this Act as a "financial year"; and it may be less or more than a calendar year, but it shall not exceed fifteen months:*

Provided that it may extend to eighteen months where special permission has been granted in that behalf by the Registrar.

(5) *If any person, being a director of a company, fails to take all reasonable steps to comply with the provisions of this section, he shall, in respect of each offence, be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to ten thousand rupees, or with both:*

Provided that in any proceedings against a person in respect of an offence under this section, it shall be a defence to prove that a competent and reliable person was charged with the duty of seeing that the provisions of this section were complied with and was in a position to discharge that duty:

Provided further that no person shall be sentenced to imprisonment for any such offence unless it was committed willfully.

(6) *If any person, not being a director of the company, having been*

charged by the Board of directors with the duty of seeing that the provisions of this section are complied with, makes default in doing so, he shall, in respect of each offence, be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to ten thousand rupees, or with both:

Provided that no person shall be sentenced to imprisonment for any such offence unless it was committed willfully.”

21. Similarly repayment of deposit or interest thereon or redemption of debentures or payment of dividend are obligatory under different provisions and violation thereof is also penal. By insertion of Clause (B) in Clause (g) of Section 274 (1), the same was also made a disqualification of Director by Act 53 of 2000 w.e.f.13.12.2000.

22. Section 274, dealt with certain disqualifications which render a person incapable of being appointed as Director of a Company. It nowhere provided that a person if already appointed Director, shall cease to be so, if incurs any or more disqualifications enumerated in Section 274 (1) of Act, 1956.

23. Section 275 proposed a restriction upon a person to be Director of more than a particular number of Companies. Earlier it provided that no person would be a Director of more than 20 Companies but vide Section 133 of Act, 53 of 2000 w.e.f. 13.12.2000, it was reduced to 15 Companies. A penalty was provided under Section 279 to a person who held Office of Director of more than maximum number of Companies as provided under Section 275.

24. Then comes Section 283 which dealt with vacation of Office by Directors. It read as under :

“283. Vacation of office by directors.-(1) The office of a director shall become vacant if -

(a) he fails to obtain within the time specified in sub-section (1) of section 270, or at any time thereafter ceases to hold, the share qualification, if any, required of him by the articles of the company;

*(b) he is **found to be of unsound mind** by a Court of competent jurisdiction;*

*(c) he **applies to be adjudicated an insolvent**;*

*(d) he is **adjudged an insolvent**;*

*(e) he is **convicted by a Court of any offence involving moral***

turpitude and sentenced in respect thereof to imprisonment for not less than six months;

(f) he fails to pay any call in respect of shares of the company held by him, whether alone or jointly with others, within six months from the last date fixed for the payment of the call, unless the Central Government has, by notification in the Official Gazette, removed the disqualification incurred by such failure;

(g) he absents himself from three consecutive meetings of the Board of directors, or from all meetings of the Board for a continuous period of three months, whichever is longer, without obtaining leave of absence from the Board;

(h) he (whether by himself or by any person for his benefit or on his account), or any firm in which he is a partner or any private company of which he is a director, accepts a loan, or any guarantee or security for a loan, from the company in contravention of section 295;

(i) he acts in contravention of section 299;

(j) he becomes disqualified by an order of Court under section 203;

(k) he is removed in pursuance of section 284; or

(l) having been appointed a director by virtue of his holding any office or other employment in the company he ceases to hold such office or other employment in the company

(2) Notwithstanding anything in clauses (d), (e) and (j) of sub-section (1), the disqualification referred to in those clauses shall not take effect-

(a) for thirty days from the date of the adjudication, sentence or order;

(b) where any appeal or petition is preferred within the thirty days aforesaid against the adjudication, sentence or conviction resulting in the sentence, or order until the expiry of seven days from the date on which such appeal or petition is disposed of; or

(c) where within the seven days aforesaid, any further appeal or petition is preferred in respect of the adjudication, sentence, conviction, or order, and the appeal or petition, if allowed, would result in the removal of the disqualification, until such further appeal or petition is disposed of.

(2A) Subject to the provisions of sub-sections (1) and (2), if a

person functions as a director when he knows that the office of director held by him has become vacant on account of any of the disqualifications, specified in the several clauses of sub-section (1), he shall be punishable with fine which may extend to five thousand rupees for each day on which he so functions as a director.

(3) A private company which is not a subsidiary of a public company may, by its articles, provide, that the office of director shall be vacated on any grounds in addition to those specified in sub-section (1).”
(emphasis added)

25. Section 284 provided the manner in which Director of a Company may be removed. For the present purpose, Section 284 is not relevant, therefore, we are omitting to discuss the same.

26. The validity of Section 274 (1) (g), as amended by Companies Amendment Act, 2000 (hereinafter referred to as “Act, 2000”) w.e.f. 13.12.2000, came to be considered before a Division Bench of Gujarat High Court in **Saurashtra Cement Ltd. and Anr. vs Union Of India and Ors. (supra)** and a Division Bench of Bombay High Court in **Snowcem India Ltd. and Ors. vs Union Of India and Ors.(supra)**. Both Courts have upheld the same. We would discuss the above two judgments in detail, at a later stage.

27. Act, 1956 has been substituted and repealed by Act, 2013 which received assent of President of India on 29.08.2013 and published in the Gazette of India (Extra-ordinary), on 30.08.2013. Section 1 (3) provides that Section 1 itself shall come into force at once and remaining provisions of Act, 2013 shall come into force on such dates as Central Government may, by notification in Official Gazette, appoint and different dates may be appointed for different provisions. For giving effect to the provisions of Act, 2013, different notifications were issued from time to time and a chart showing enforcement of various provisions, details of notifications and date of enforcement is given as under :-

Sl No.	Date of notification	Date of publication	Date of enforcement	Section(s)
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		in Gazette		
1.	12.09.2013	12.09.2013	12.09.2013	2(1), (3) to (6), (8) to (12), (14) to (22), (24) to (28), (29), (30), (32) to (40), (43) to (46), (49) to (61), (63) to (66), (67), (68) to (82), (84), (86), to (95), 19, 21 to 25, 29 to 40, 44, 45, 49 to 51, 57 to 60, 65, 69, 70, 86, 91, 100, 102 to 107, 111 to 116, 127, 133, 161 to 163, 176, 180 to 183, 185, 192, 194, 195, 202, 379, 382, 383, 386, 394, 405, 407 to 414, 439, 443 to 453, 456 to 463, 467 to 470
2.	27.02.2014	28.02.2014	01.04.2014	135 and Schedule VII
3.	26.03.2014	27.03.2014	01.04.2014	2 (2), (7), (13), (31), (41), (42), (47), (48), (62), (83), (85), Explanation (d) of Clause (87), 3 to 6, 7 [Except sub-section (7)], 8 [except sub-section (9)], 9 to 13, 14, 15 to 18, 20, Clause (b) of sub-section (1) and sub-section (2) of 23, sub-section (3) of 25, 26 to 28, sub-section (3) of 33, Clause (e) of sub-section (1) of 35, sub-section (4) of 39, sub-section (6) of 40, 41 to 43, 46, 47, 52 to 54, 55 [except sub-section (3)], 56, 61 [except proviso to clause (b) of sub-section (1)], 62 [except sub-sections (4) to (6)], 63, 64, 67, 68, sub-section (2) of 70, 71 [except sub-sections (9) to (11)], 72, 73, sub-section (1) of 74, 76 to 85, 87 to 90, 92 to 96, sub-section (6) of 100, 101, Third and Fourth proviso to sub-section (1) and sub-section (7) of 105, 108 to 110, Clause (b) of sub-section (1) of 113, 115, 117, 118, 119 [except sub-section (4)], 120 to 122, 123, 126, 128, 129, 134, 136 to 139, 140 [except second proviso to sub-section (4) and sub-section (5)], 141 to 160, sub-section (2) of 161, 164 to 168 , 169 [except sub-section (4)], 170 to 172, 173 to 175, 177 to 179, 184, 186 to 191, 193, 196 to 201, 203 to 205, 206 to 211, 212 [except references of sub-section (1) of Section 66, sub-section (5) of Section 140, Section 213, Sub-section (1) of section 251 and sub-section (3) of Section 339 made in sub-section (6) and also sub-sections (8) to (10)], 214 and 215, 216 [except sub-section (2)], 217, 219, 220, 223, 224 [except sub-section (2) and (5)], 225, 228 and 229, 366 to 369, 370 (except the proviso), 371, 374, 380, 381, 384, 385, Clause (a) of Section 386, 387 to 390, Sub-section (1) of Section 391, 392 and 393, 395, 396 to 398, 399 [except reference of word Tribunal in

				sub-section (2)], 400 to 404, 406, 442, 454 and 455, Schedule I to VI
4.	06.06.2014	06.06.2014	06.06.2014	Sub-sections (2) and (3) of Section 74
5.	13.01.2016	14.01.2016	13.01.2016	Sub-section (5) and (6) (except with respect to the manner of administration of the Investor Education and Protection Fund) and sub-section (7) of Section 125
6.	18.05.2016	18.05.2016	18.05.2016	Clause (iv) of sub-section (29) of Section 2, Sections 435 to 438 and Section 440
7.	01.06.2016	01.06.2016	01.06.2016	Sub-section (7) of Section 7 [except clauses (c) and (d)], second proviso to sub-section (1) of Section 14, sub-section (2) of Section 14, sub-section (3) of Section 55, proviso to clause (b) of sub-section (1) of Section 61, sub-sections (4) to (6) of Section 62, sub-sections (9) to (11) of Section 71, 75, 97 to 99, sub-section (4) of Section 119, 130, 131, second proviso to sub-section (4) and sub-section (5) of Section 140, sub-section (4) of Section 169, 213, sub-section (2) of Section 216, 218, 221, 222, sub-section (5) of Section 224, Sections 241, 242 [except clause (b) of sub-section (1), clauses (c) and (g) of sub-section (2), 243, 244 and 245, reference of word 'Tribunal' in sub-section (2) of Section 399, 415 to 433, sub-sections (1) (a) and (b) of Section 434, sub-section (2) of Section 434, 441, 466
8.	05.09.2016	05.09.2016	07.09.2016	124, sub-sections (1) to (4), (6) [with respect to the manner of administration of the Investor Education and Protection Fund] and (8) to (11) of Section 125
9.	09.09.2016	09.09.2016	09.09.2016	227, clause (b) of sub-section (1) of Section 242, clauses (c) and (g) of sub-section (2) of Section 242, 246 and Sections 337 to 341 (to the extent of their applicability for Section 246)
10.	07.12.2016	07.12.2016	15.12.2016	Clause (23) of Section 2, Clause (c) and (d) of sub-section (7) of Section 7, Sub-section (9) of Section 8, 48, 66, sub-section (2) of Section 224, 226, 230 (except sub-section (11) and (12) and Sections 231 to 233, 235 to 240, 270 to 288, 290 to 303, 324, 326 to 365, Proviso to Section 370, 372 to 373, 375 to 378, sub-section (2) of Section 391, Clause (c) of sub-section (1) of Section 434
11.	26.12.2016	27.12.2016	26.12.2016	248 to 252
12.	13.04.2017	13.04.2017	13.04.2017	234

13.	24.08.2017	24.08.2017	24.08.2017	Sub-sections (8), (9) and (10) of Section 212
14.	20.09.2017	21.09.2017	20.09.2017	Proviso to clause (87) of Section 2
15.	21.03.2018	22.03.2018	21.03.2018	Sub-sections (3) and (11) of Section 132

28. Act, 2013 is made applicable to all companies incorporated under previous Company Law as under Act, 2013, and, certain other companies also as is evident from Section 1(4), which reads as under :

“1(4) The provisions of this Act shall apply to-

(a) companies incorporated under this Act or under any previous company law;

*(b) **insurance companies**, except insofar as the said provisions are inconsistent with the provisions of the Insurance Act, 1938 (4 of 1938) or the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999);*

*(c) **banking companies**, except insofar as the said provisions are inconsistent with the provisions of the Banking Regulation Act, 1949 (10 of 1949);*

*(d) **companies engaged in the generation or supply of electricity**, except insofar as the said provisions are inconsistent with the provisions of the Electricity Act, 2003 (36 of 2003);*

*(e) **any other company governed by any special Act** for the time being in force, except in so far as the said provisions are inconsistent with the provisions of such special Act; and*

*(f) **such body corporate, incorporated by any Act for the time being in force, as the Central Government may, by notification, specify in this behalf**, subject to such exceptions, modifications or adaptation, as may **be specified in the notification.**”*

29. The terms “Board of Directors” or “Board” and “Director” are defined in Sections 2(10) and 2(34) and read as under :

“2(10) “Board of Directors” or “Board”, in relation to a company, means the collective body of the directors of the company.

2(34) “director” means a director appointed to the Board of a company.”

30. Chapter XI of Act, 2013 deals with appointment and qualifications of 'Directors' and contains Sections 149 to 172. Section 153 to 159 deal with issue of Director Identification Number (i.e. DIN). Section 153 provides that

every individual, intending to be appointed as director of a company, shall make an application for allotment of DIN to the Central Government in such form and manner and along with such fees as may be prescribed. Section 154 makes it obligatory upon Central Government to allot DIN within one month from receipt of application under Section 153 to the person applying for the same. Section 155 prohibits more than one DIN to any individual and says that no individual who has already been allotted DIN under Section 154, shall apply for, obtain or possess another DIN. Vide Section 156, every existing Director is under obligation to intimate his DIN to the company or all the companies wherein he is a director, after receipt of DIN from Central Government. Similarly, Section 157 makes it obligatory upon Company to inform ROC of the Directors of companies. Obligation to indicate DIN is provided under Section 158. It says that every person or company, while furnishing any return, information or particulars, as are required to be furnished under Act, 2013, shall mention DIN in such return, information or particulars, in case such return, information or particulars related to the Director or contain any reference of any Director.

31. Section 164 of Act, 2013 talks of disqualifications for appointment of Director. It came to be enforced from 01.04.2014 and has been amended twice, inasmuch as, a proviso was added to sub-section 2 of Section 164, vide Section 52(i) of Act 1 of 2018, w.e.f. 07.05.2018. Existing proviso to sub-section 3 of Section 164 was substituted by Section 52 (iii) of Act 1 of 2018, which also came into force on 07.05.2018. Section 164 as it stood on and after 07.05.2018, after amendment vide Act 1 of 2018, reads as under :

“164. Disqualifications for appointment of director.-(1) A person shall not be eligible for appointment as a director of a company, if-

- (a) he is of unsound mind and stands so declared by a competent court;*
- (b) he is an undischarged insolvent;*
- (c) he has applied to be adjudicated as an insolvent and his application is pending;*
- (d) he has been convicted by a court of any offence, whether involving moral turpitude or otherwise, and sentenced in respect thereof to imprisonment for not less than six months and a period*

of five years has not elapsed from the date of expiry of the sentence:

Provided that if a person has been convicted of any offence and sentenced in respect thereof to imprisonment for a period of seven years or more, he shall not be eligible to be appointed as a director in any company;

(e) *an order disqualifying him for appointment as a director has been passed by a court or Tribunal and the order is in force;*

(f) *he has not paid any calls in respect of any shares of the company held by him, whether alone or jointly with others, and six months have elapsed from the last day fixed for the payment of the call;*

(g) *he has been convicted of the offence dealing with related party transactions under section 188 at any time during the last preceding five years; or*

(h) *he has not complied with sub-section (3) of section 152.*

(2) *No person who is or has been a director of a company which—*

(a) *has not filed financial statements or annual returns for any continuous period of three financial years; or*

(b) *has failed to repay the deposits accepted by it or pay interest thereon or to redeem any debentures on the due date or pay interest due thereon or pay any dividend declared and such failure to pay or redeem continues for one year or more,*

shall be eligible to be re-appointed as a director of that company or appointed in other company for a period of five years from the date on which the said company fails to do so.

Provided that where a person is appointed as a director of a company which is in default of clause (a) or clause (b), he shall not incur the disqualification for a period of six months from the date of his appointment.

(3) *A private company may by its articles provide for any disqualifications for appointment as a director in addition to those specified in sub-sections (1) and (2):*

Provided that the disqualifications referred to in clauses (d), (e) and (g) of sub-section (1) shall continue to apply even if the appeal or petition has been filed against the order of conviction or disqualification.”

(Provisions shown in bold were amended by Act 1 of 2018 w.e.f. 07.05.2018)

32. Broadly Section 164 of Act, 2013 is not only similar to Section 274 of Act, 1956 but a bit wider. Disqualification added in Section 274 (1) by insertion of Clause (g) has been continued in Section 164 though framed in slightly different language and is on the Statute as sub-section (2) of Section

164 of Act, 2013.

33. Under Act, 2013 liability to file Annual Return is provided vide Section 92. It says that every Company shall prepare a return (described in Section 92 as “Annual Return”) in the prescribed form containing particulars as detailed in Sub-section 1 of Section 92, as they stood on the close of Financial Year. Such Annual Return shall be signed by Director and the Company Secretary. Where there is no Company Secretary, it shall be signed by a Company Secretary in practice. Sub-section (4) of Section 92 makes it obligatory for every Company to file Annual Return with ROC within sixty days from the date on which Annual General Meeting (hereinafter referred to as 'AGM') is held or where no AGM is held in any year within sixty days from the date on which AGM should have been held together with the statement specifying the reasons for not holding the AGM. We find it appropriate to reproduce Sub-section (4) of Section 92 of Act, 2013 as under :

“92(4). Every company shall file with the Registrar a copy of the annual return, within sixty days from the date on which the annual general meeting is held or where no annual general meeting is held in any year within sixty days from the date on which the annual general meeting should have been held together with the statement specifying the reasons for not holding the annual general meeting, with such fees or additional fees as may be prescribed.”

(emphasis added)

34. Earlier with regard to payment of fees or additional fees it was provided that it could have been paid within time as specified under Section 403 but it has been amended by Act 1 of 2018 w.e.f. 07.05.2018 and now Sub-section (4) says that payment of fees or additional fees shall be as may be prescribed. Therefore, we have quoted Sub-section (4) of Section 92 as it stands after amendment made by Act 1 of 2018 w.e.f. 07.05.2018.

35. Sub-section 5 of Section 92 of Act, 2013 contemplates failure on the part of a Company to file its Annual Return under Sub-section (4) and says that it is an offence punishable with fine and every officer of the Company, who is in default is liable to be punished with imprisonment as well as fine as provided therein. We may produce sub-section (5) of Section 92 of Act, 2013

as under :

“92 (5). If a company fails to file its annual return under sub-section (4), before the expiry of the period specified under Section 403 with additional fees, the company shall be punishable with fine which shall not be less than fifty thousand rupees but which may extend to five lakhs rupees and every officer of the company who is in default shall be punishable with imprisonment for a term which may extend to six months or with fine which shall not be less than fifty thousand rupees but which may extend to five lakh rupees, or with both.”

(emphasis added)

36. Section 96 of Act, 2013 provides for Annual General Meeting (AGM) and says that in each year, in addition to any other meeting, a general meeting as its Annual General Meeting shall be held by Company and there shall not be a gap of more than fifteen months between two Annual General Meetings of the Company.

37. Section 137 of Act, 2013 provides for filing of Financial Statements by a Company with ROC. Here also non-compliance of filing of Financial Statements under sub-section(1) or (2), has been declared to be an offence punishable with fine for the Company, and, Managing Director and Chief Financial Officer of the Company or Director of the Company are punishable with fine and imprisonment or both. Section 137 of Act, 2013 has also undergone certain minor amendments by Act 1 of 2018 w.e.f. 09.02.2018 and 07.05.2018, hence we reproduce Section 137 of Act, 2013 as amended with effect from 07.05.2018 as under :

“137.Copy of financial statement to be filed with Registrar.(1) A copy of the financial statements, including consolidated financial statement, if any, along with all the documents which are required to be or attached to such financial statements under this Act, duly adopted at the annual general meeting of the company, shall be filed with the Registrar within thirty days of the date of annual general meeting in such manner, with such fees or additional fees as may be prescribed.

Provided that where the financial statements under sub-section (1) are not adopted at annual general meeting or adjourned annual general meeting, such unadopted financial

statements along with the required documents under sub-section (1) shall be filed with the Registrar within thirty days of the date of annual general meeting and the Registrar shall take them in his records as provisional till the financial statements are filed with him after their adoption in the adjourned annual general meeting for that purpose:

Provided further that financial statements adopted in the adjourned annual general meeting shall be filed with the Registrar within thirty days of the date of such adjourned annual general meeting with such fees or such additional fees as may be prescribed:

Provided also that a One Person Company shall file a copy of the financial statements duly adopted by its member, along with all the documents which are required to be attached to such financial statements, within one hundred eighty days from the closure of the financial year:

Provided also that a company shall, along with its financial statements to be filed with the Registrar, attach the accounts of its subsidiary or subsidiaries which have been incorporated outside India and which have not established their place of business in India.

Provided also that in the case of a subsidiary which has been incorporated outside India (herein referred to as "foreign subsidiary"), which is not required to get its financial statement audited under any law of the country of its incorporation and which does not get such financial statement audited, the requirements of the fourth proviso shall be met if the holding Indian company files such unaudited financial statement along with a declaration to this effect and where such financial statement is in a language other than English, along with a translated copy of the financial statement in English.

(2) Where the annual general meeting of a company for any year has not been held, the financial statements along with the documents required to be attached under sub-section (1), duly signed along with the statement of facts and reasons for not holding the annual general meeting shall be filed with the Registrar within thirty days of the last date before which the annual general meeting should have been held and in such manner, with such fees or additional fees as may be prescribed.

(3) If a company fails to file the copy of the financial statements

under sub-section (1) or sub-section (2), as the case may be, before the expiry of the period specified, the company shall be punishable with fine of one thousand rupees for every day during which the failure continues but which shall not be more than ten lakh rupees, and the managing director and the Chief Financial Officer of the company, if any, and, in the absence of the managing director and the Chief Financial Officer, any other director who is charged by the Board with the responsibility of complying with the provisions of this section, and, in the absence of any such director, all the directors of the company, shall be punishable with imprisonment for a terms which may extend to six months or with fine which shall not be less than one lakh rupees but which may extend to five lakh rupees, or with both.”

38. Section 403 of Act, 2013 talks of fees for filing any document required to be filed under Act, 2013 with ROC and for the purpose of present dispute we do not find it relevant, so skipping said provision.

39. However, aforesaid provisions make it clear that filing of Annual Returns and Financial Statements are obligatory, non-compliance thereof is punitive and penal in nature. Therefore, Legislature has found it expedient to include violation of said provisions as one of the disqualification of a person to be a Director of such Company.

40. Section 167 of Act, 2013 which came into force on 01.04.2014 provides for contingencies when office of director shall become vacant. Here also a proviso was inserted in clause (a) of sub-section 1 of Section 167 vide Section 54 (i) of Act 1 of 2018 w.e.f. 07.05.2018 and existing proviso after clause (f) of Section 167 was substituted by aforesaid amendment act. The amended Section 167, reads as under :

“167. Vacation of office of director.-(1) *The office of a director shall become vacant in case-*

(a) he incurs any of the disqualifications specified in Section 164:

Provided that where he incurs disqualification under sub-section (2) of Section 164, the office of the director shall become vacant in all the companies, other than the company which is in default under that sub-section.

(b) he absents himself from all the meetings of the Board of Directors held during a period of twelve months with or without seeking leave of absence of the Board;

(c) he acts in contravention of the provisions of Section 184 relating to entering into contracts or arrangements in which he is directly or indirectly interested;

(d) he fails to disclose his interest in any contract or arrangement in which he is directly or indirectly interested, in cotravention of the provisions of Section 184;

(e) he becomes disqualified by an order of a court or the Tribunal;

(f) he is convicted by a court of any offence, whether involving moral turpitude or otherwise and sentenced in respect thereof to imprisonment for not less than six months;

Provided that the office shall not be vacated by the director in case of orders referred to in clauses (e) and (f)-

(i) for thirty days from the date of conviction or order of disqualification;

(ii) where an appeal or petition is preferred within thirty days as aforesaid against the conviction resulting in sentence or order, until expiry of seven days from the date of which such appeal or petition is disposed of; or

(iii) where any further appeal or petition is preferred against order or sentence within seven days, until such further appeal or petition is disposed of.

(g) he is removed in pursuance of the provisions of this Act;

(h) he, having been appointed a director by virtue of his holding any office or other employment in the holding, subsidiary or associate company, ceases to hold such office or other employment in that company.

(2) If a person, functions as a director even when he knows that the office of director held by him has become vacant on account of any of the disqualifications specified in sub-section (1), he shall be punishable with imprisonment for a term which may extend to one year or with fine which shall not be less than one lakh rupees but which may extend to five lakh rupees, or with both.

(3) Where all the directors of a company vacate their offices under any of the disqualifications specified in sub-section (1), the promoter or, in his absence, the Central Government shall appoint the required number of directors who shall hold office till the directors are appointed by the company in the general meeting.

(4) A private company may, by its articles, provide any other

ground for the vacation of the office of a director in addition to those specified in sub-section (1)."

(Provisions shown in bold were amended by Act 1 of 2018 w.e.f. 07.05.2018)

41. Before proceeding further we find it appropriate to refer one more provision i.e. Section 470 of Act, 2013 which has been enforced w.e.f. 12.09.2013. It provides that if any difficulty arises in giving effect to the provisions of Act, 2013, Central Government may, by order published in Official Gazette, make such provision, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing difficulty. It also provides that no order under sub-section (1) of Section 470 shall be made after expiry of a period of five years from the date of commencement of Section 1 of Act, 2013. Section 470 of Act, 2013 is reproduced as under :

"470. Power to remove difficulties.-(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of five years from the date of commencement of Section 1 of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament."

42. Section 1 of Act, 2013 came into force at once i.e. 30.08.2013 when it was published in the Gazette of India(Extra-ordinary) after receiving assent of the President on 29.08.2013. Therefore, Central Government may issue orders referable to Section 470 (1) of Act, 2013 for five years i.e. upto 29.08.2018.

43. Now we proceed to consider rival submissions advanced in these writ petitions.

44. The First Question, up for consideration is, **"What shall be the financial years, which can be considered for the purpose of disqualification under Section 164 (2) of Act, 2013, which came into force on 01.04.2014?"**

45. "Financial Year" has been defined under Section 2(41) of Act, 2013

and it also came into force w.e.f. 01.04.2014. It reads as under :

“2(41) “financial year”, in relation to any company or body corporate, means the period ending on the 31st day of March every year, and where it has been incorporated on or after the 1st day of January of a year, the period ending on the 31st day of March of the following year, in respect whereof financial statement of the company or body corporate is made up :

Provided that on an application made by a company or body corporate, which is a holding company or a subsidiary or associate company of a company incorporated outside India and is required to follow a different financial year for consolidation of its accounts outside India, the Tribunal may, if it is satisfied, allow any period as its financial year, whether or not that period is a year:

Provided further that a company or body corporate, existing on the commencement of this Act, shall, within a period of two years from such commencement, align its financial year as per the provisions of this clause”

(emphasis added)

46. A perusal of Section 2(41) of Act, 2013 shows that for a provision, which came into force on 01.04.2014, 'Financial Year' which ended on 31.03.2014 will not be relevant, inasmuch as, disqualification under Section 164(2)(a) of Act, 2013 is failure of submission of Financial Statements or Annual Returns for any continuous period of three Financial Years and this provision, which is adverse and penal in nature, cannot be made applicable to a Financial Year which had already lapsed and when there was no such condition attracting any disqualification on an event as provided under Section 164(2) (a) of Act, 2013.

47. In taking above view, we need to look into the question, whether Section 164 (2) of Act, 2013 is retrospective or prospective or any other argument for the reason that a plain reading, in our view, leaves no manner of doubt that 'Financial Year' in which Section 164 of Act, 2013 has been

enforced has to be excluded; A provision which has been enforced w.e.f. 01.04.2014 and talks of three Financial years, if read with Section 2 (41) of Act, 2013 clearly shows that such 'Financial Year' must commence from 1st April of the concerned year and Financial Year which has ended on 31st March, will not be covered. Probably this was also realized by Central Government, inasmuch as, a General Circular No.08/14 dated 04.04.2014 was issued by Ministry of Corporate Affairs and the relevant extract of said Circular reads as under :

“Although the position in this behalf is quite clear, to make things absolutely clear it is hereby notified that the financial statements (and documents required to be attached thereto), auditors report and Board's report in respect of financial years that commenced earlier than 1st April shall be governed by the relevant provisions/schedules/rules of the Companies Act, 1956 and that in respect of financial years commencing on or after 1st April, 2014, the provisions of the new Act shall apply.”

(emphasis added)

48. The above Circular also shows that 'Financial Year' commencing from 1st April after enforcement of Section 164 of Act, 2013 will be relevant and hence, it would cover Financial Year 2014-15 and thereafter. Therefore, for the purpose of Section 164 (2) (a) of Act, 2013, in our view, three Financial Years relevant for attracting Section 164 (2) (a) of Act, 2013, would commence from Financial Year 2014-15 and onwards and not prior thereto.

49. We find that considering a similar issue, Gujarat High Court in **Gaurang Balvantlal Shah Vs. Union of India, 2019 GLH (1) 444**; Madras High Court in **Bhagavan Das Dhananjaya Das Vs. Union of India and Anr., (2018)6 MLJ 704**; Karnataka High Court in **Yashodhara Shroff vs. Union of India, (2019)155 SCL 299**; and Telangana High Court in **Venkata Ramana Tadiparthi vs. Union of India (Writ Petition No.5422 of 2019) decided on 18.07.2019**, have also taken same view. We also find that a Division Bench of this Court (at Lucknow Bench) in **Mohd. Tariq Siddiqui and others Vs. Union of India and others (Misc Bench No.16173 of 2019 and other connected matters) decided on 15.10.2019** has followed the view taken by Gujarat High Court in **Gaurang Balvantlal Shah (supra)** and has

also said in para 6 of the judgment that besides Madras High Court similar view has been taken by Madhya Pradesh High Court also. Since Division Bench of this Court has also followed the view taken by Gujarat High Court, we also find no reason to take a different view in the matter.

50. We, therefore, answer the question by observing that for attracting mischief of Section 164(2) (a) of Act, 2013, the 'Financial Year' would commence from 2014-15 and not prior thereto.

51. Learned Additional Solicitor General of India, however, placed reliance on a single Judge judgment of Delhi High Court in **Mukut Pathak (supra)** wherein Court has disagreed with the view taken by Karnataka High Court, Gujarat High Court and Madras High Court in the judgments in **Yashodhara Shroff (supra)**, **Gaurang Balvantlal Shah (supra)** and **Bhagwan Das Dhananjaya Das (supra)**, respectively, and said that mere fact that 'Financial Year' 2013-14 ended on 31.03.2014, will make no difference for the reason that Annual General Meeting (AGM) would be required to be held within next six months of that Financial Year and thereafter annual returns or annual financial statements are to be submitted within 60 days of holding of meeting of AGM or on the last date on which such meeting ought to have been held. Hence, non submission of financial returns/annual returns of Financial Year 2013-14 will also apply and covered within the ambit of Section 164(2)(a) of Act, 2013. In paras 51 and 52 of judgment learned Single Judge of Delhi High Court has said as under :

*“51. In view of the above, this Court is in respectful disagreement with the view of the Karnataka High Court, Madras High Court and Gujarat High Court in **Yashodhara Shroff v. Union of India; Bhagavan Das Dhananjaya Das v. Union of India and Ors. And Gaurang Balvantlal Shah v. Union of India (supra)** inasmuch as the said Courts have held that the defaults for the financial year ending 31.03.2014 cannot be considered for determining whether a director had incurred the disqualification under Section 164 (2) of the Act.*

52. Concededly, Section 164 (2) of the Act operates prospectively. However, such prospective operation would entail taking into account failure to file the financial statements pertaining to the financial year ending 31.03.2014 on or before 30.10.2014. This

Court is of the view that the taking into account such default does not amount to a retrospective application of Section 164 of the Act and the contentions advanced by the petitioners in this regard, are unmerited.”

52. Since Division Bench of this Court at Lucknow Bench has already taken a view concurring with decisions of Gujarat, Madras and Madhya Pradesh High Courts holding that to attract Section 164(2)(a), it is the Financial Statement/Annual Return of Financial Year 2014-15 and onwards which is relevant and not earlier thereto, which means that a different view to the view taken by Delhi High Court has been expressed by this Court. Hence, we find no reason not to accept and respectfully follow the view taken by Division Bench of this Court, hence we reject contention of learned Additional Solicitor General of India advanced on the foundation of judgment in **Mukut Pathak (supra)** passed by Delhi High Court.

53. The Second Question is **“Whether Section 164 (2) of Act, 2013 is arbitrary and discriminatory, hence violative of Articles 14 and 19 (1)(g) of the Constitution of India or not”?**

54. As we have already noticed, Section 164 (2) of Act, 2013 broadly is similar as Section 274 (1) of Act, 1956. The two conditions of disqualification namely, non filing of Annual Returns and Financial Statements and non return of deposit and non payment of dividends etc in due time, were inserted in Section 274 (1) by inserting Clause (g) in Act, 1956 w.e.f. 13.12.2000. The object and purpose of insertion of Clause (g) of Section 274 (1) of Act, 1956, as stated by Legislature, was that it intended to disqualify errant Directors, protect investors from mismanagement, ensure compliance and filing of Annual Accounts and Annual Returns which are the means of disclosure to all Stake Holders; increase compliance rate of filing statutory document and to infuse good corporate governance in regulation of corporate affairs. Section 274 (1) (g) was applicable to public companies but Section 164 of Act, 2013 has been made applicable to private companies also. What is true and valid for public companies, if intention of Legislature is to make provisions of good corporate governance, we find no reason not to apply the same when provision is extended to private companies also,

particularly when one of the objective is to ensure strict compliance of obligatory provisions of the Statute with regard to submission of documents to ROC.

55. We also do not find as to how the above provision is violative of Article 19 (1) (g) of the Constitution, inasmuch as, there is no embargo in carrying on business, profession etc. A limited prohibition is applied that too in respect of a tainted Director, who has failed to comply with statutory obligatory provisions of Act. Simultaneously, we find that a broad distinction has been made in respect of a person who has acted as a Director and complied with requirement of statutory obligations faithfully and effectively, vis-a-vis such person who though appointed as Director, but has failed to observe statutory provisions of Act. Therefore, a tainted Director stands in a different class than one who has regularly complied with statutory provisions, therefore, Article 14 of the Constitution, in our view, does not apply. There is a valid classification between a tainted and untainted Director and it also has a reasonable nexus with the object sought to be achieved i.e. to make compliance of statutory provisions more stringent and providing stringent provisions so that the people may not have any liberty to disobey provisions without facing any consequences.

56. Legislature has maintained a distinction between Directors who stand disqualified, suffering one or more disqualifications under Section 274 (1) (a) to (f) and the disqualifications provided by insertion of Clause (g) in sub-section (1) of Section 274 of Act, 1956. It is submitted that default of Company in filing requisite document with ROC or non payment of deposit, dividends etc within prescribed time is a fault on the part of Company and for that purpose a Director cannot be made responsible, but we cannot ignore the fact that Company is a juristic personality. It has no physical existence and therefore, it is managed by Board of Directors, who are individual natural persons. The disobedience on the part of Company or incapacity in payment of certain dues as described in Section 274 (1)(g) (B) of Act, 1956 is bound to occur only when natural persons responsible for its management have failed to manage it effectively and properly. Defiance and default will also occur on

the part of Company when persons responsible for management would fail in compliance of statutory duties. Therefore, while holding the Company responsible and to face consequences of such violation, Legislature has found it appropriate to hold the person responsible for its management i.e. Director to suffer certain consequences, which cannot be said to be unreasonable or per se arbitrary or irrational.

57. The provisions of Section 274 (1) (g) of Act, 1956 were considered on the anvil of Articles 14 and 19 (1) (g) of Constitution of India by Bombay High Court in **Snowcem India Ltd (supra)** and Gujarat High Court in **Saurashtra Cement Ltd. (supra)** and same was upheld. Section 164 (2) of Act, 2013 broadly contains similar provision and no argument has been advanced before us so as to make out a distinction in the logic and rationality given for upholding Section 274 (1) (g) of Act, 1956, earlier in above judgments so as not to apply to Section 164 (2) of Act, 2013. We also do not find any per se illegality, irrationality, arbitrariness or lack of intelligible classification, hence, we find no force in the submission that Section 164 (2) of Act, 2013 is ultra vires. This question, therefore, is answered against petitioners.

58. The Third Question is **“Whether principles of natural justice are applicable before holding a Director disqualified under Section 164(2) or holding that Office of Director has become vacant under Section 167(1) (a)”?**

59. From perusal of provisions quoted above there is no scope of doubt that as soon as disqualifications stated therein are incurred, Director concerned shall stand disqualified by operation of law and/or Office of Director shall become vacant by operation of law, under Section 164 and 167, respectively, as the case may be. Therefore, to attract the consequences, if eventuality which attracts disqualification or vacation of Office of Director has occurred, being automatic, it cannot be said that principles of natural justice are required to be applied at that stage and must be observed. In fact no authority under Act, 2013 has been required to make such a declaration. Instead Statute itself makes declaration. The effect and consequence of

attracting disqualification is automatic. It requires no order or declaration by any authority. The list issued by ROC of such unqualified Directors is only a ministerial act.

60. Every provision which excludes principles of natural justice cannot be said to be per se arbitrary. It depends upon the facts and circumstances, nature of Statutes, object, purpose and other relevant factors to examine whether compliance of principles of natural justice is necessary or not. In the present case, what is contemplated in Section 164(2) (a) is certain statutory duty which if failed by a Director concerned, the disqualification would stand attracted. Similar is the position in respect of Section 167(1) (a), hence, we find no reason to hold that principles of natural justice must be read in Sections 164(2) (a) and 167(1) (a) before attracting consequences.

61. However, the matter is not so simple and will not end here. There is another facet under which aforesaid provisions have to be examined.

62. Disqualification under Section 164(2) (a) of Act 2013 would operate only when there is a failure of non filing Financial Statements or Financial Returns for a continuous period of three Financial Years. Hence, question of fact which would arise in every case, whether there is any such failure or not and that too for the period as contemplated in the aforesaid provision. Similarly to attract Section 164 (2) (b) of Act, 2013 it has to be shown that there is failure on the part of company in payment of dividends, deposits, interests etc. This is again a question of fact. Unless these facts are shown to exist or have occurred, it cannot be doubted that disqualification under Section 164 (2) of Act, 2013, shall not be attracted.

63. In all these writ petitions, we have found that basic facts with regard to alleged disqualification are not pleaded in the writ petitions or missing in the writ petitions. Even in the counter affidavits, wherever the same have been filed, respondents have also not taken care to disclose the facts establishing existence of eventualities to have occurred so as to attract Section 164 (2) and 167(1)(a) of Act, 2013.

64. In all these writ petitions, as argued by learned Additional Solicitor General of India, disqualification is failure of Directors in ensuring filing of

Annual Returns in three consecutive Financial Years. Which are these Financial Years for which the alleged failure has occurred and how it has been discerned, nothing has been disclosed either in the list published by ROC or disclosed in the counter affidavits.

65. In W.P.-I, counter affidavit is completely silent on this aspect. We find similar flaw in the pleadings in writ petitions wherever counter affidavit has been filed. In many matters respondents have not filed counter affidavit at all, despite time having been granted.

66. In other words, we have no hesitation in observing that pleadings on the part of both parties are extremely poor. ROC has published a list of disqualified Directors without giving details of disqualification incurred by those Directors. This has also not been disclosed to this Court in the counter affidavits filed by respondents. Petitioners, unfortunately, have also not pleaded as to what disqualification they have suffered.

67. During course of arguments it was sought to be explained that since petitioners were not disclosed as to what disqualifications they have suffered by ROC, hence, they have not indulged in conjectures on this aspect and it was responsibility and onus of respondents to disclose as to what disqualification is suffered by petitioners-Directors so as to attract Section 164 (2) of Act, 2013 and the consequences provided in Section 167 of Act, 2013.

68. Chart of various petitions would show that petitioners are Directors in more than one Companies except a few one where petitioner is Director in single company. For example, in Writ Petition No.15270 of 2018 petitioner-2 Jaspal Singh is Director in only one Company i.e. Newwaves India Estate Management Services Pvt Ltd. In all these writ petitions one of the Company in which petitioners are Directors, has been struck off under Section 248 of Act, 2013.

69. Section 248 of Act, 2013 confers power upon ROC, where it has reasonable cause to believe that a company has failed to commence its business within one year of its incorporation or is not carrying on any business or operation for a period of two immediately preceding Financial

Years and has not made any application within such period for obtaining status of a dormant company under Section 455, to serve notice upon Company and all its Directors giving them opportunity to make representation to striking off name of such company from the register of companies and publish notice in the official gazette. Section 248 of Act, 2013 reads as under :

“248. Power of Registrar to remove name of company from register of companies.”-(1) Where the Registrar has reasonable cause to believe that-

(a) a company has failed to commence its business within one year of its incorporation, or

(b) the subscribers to the memorandum have not paid the subscription which they had undertaken to pay within a period of one hundred and eighty days from the date of incorporation of a company and a declaration under sub-section (1) of Section 11 to this effect has not been filed within one hundred and eighty days of its incorporation; or

(c) a company is not carrying on any business or operation for a period of two immediately preceding financial years and has not made any application within such period for obtaining the status of a dormant company under Section 455,

he shall send a notice to the company and all the directors of the company, of his intention to remove the name of the company from the register of companies and requesting them to send their representations along with copies of the relevant documents, if any, within a period of thirty days from the date of the notice.

(2) Without prejudice to the provisions of sub-section (1), a company may, after extinguishing all its liabilities, by a special resolution or consent of seventy-five per cent members in terms of paid-up share capital, file an application in the prescribed manner to the Registrar for removing the name of the company from the register of companies on all or any of the ground specified in sub-section (1) and the Registrar shall, on receipt of such application, cause a public notice to be issued in the prescribed manner;

Provided that in the case of a company regulated under a special Act, approval of the regulatory body constituted or established under that Act shall also be obtained and enclosed with the application.

(3) Nothing in sub-section (2) shall apply to a company registered under Section 8.

(4) A notice issued under sub-section (1) or sub-section (2) shall be published in the prescribed manner and also in the Official Gazette for the information of the general public.

(5) At the expiry of the time mentioned in the notice, the Registrar may, unless cause to the contrary is shown by the company, strike off its name from the register of companies, and shall publish notice thereof in the Official Gazette, and on the publication in the Official Gazette of this notice, the company shall stand dissolved.

(6) The Registrar, before passing an order under sub-section (5), shall satisfy himself that sufficient provision has been made for the realisation of all amount due to the company and for the payment or discharge of its liabilities and obligations by the company within a reasonable time and, if necessary, obtain necessary undertakings from the managing director, director or other persons in charge of the management of the company:

Provided that notwithstanding the undertakings referred to in this sub-section, the assets of the company shall be made available for the payment or discharge of all its liabilities and obligations even after the date of the order removing the name of the company from the register of companies.

(7) The liability, if any, of every director, manager or other officer who was exercising any power of management, and of every member of the company dissolved under sub-section (5), shall continue and may be enforced as if the company had not been dissolved.

(8) Nothing in this section shall affect the power of the Tribunal to wind up a company the name of which has been struck off from the register of companies.”

(emphasis added)

70. Section 248 of Act, 2013, therefore, does not talk of disqualification, which a Director would suffer so as to incur disqualification under Section 164 (2) read with Section 167 of Act, 2013. Thus the mere fact of striking off of a Company by itself can not prejudice a Director for the purpose of Sections 164 (2) and 167 (1) of Act, 2013.

71. Non application of mind on the part of ROC is writ large from the fact that some petitioners are Directors in Companies which are Limited Liability

Partnership (LLP). For example, petitioner-1 Dr. Niraj Agrawal in Writ Petition no.34503 of 2018 is Director in Vashishtha Vatsalya Real Estates LLP. Similarly, petitioner-Kuldeep Singh in Writ Petition No.1189 of 2019 is Director in Omnis Lifecare LLP and Omnis Engineering LLP. In Writ Petition No.12494 of 2019, petitioner-Manjeet Singh is Director in Vedic Media Creations Pvt Ltd which was incorporated on 23.10.2013 and already struck off while other Company is a LLP i.e. Manita City Motors LLP. Learned Additional Solicitor General of India admitted that provisions of Act, 2013 are not applicable to companies which are LLP since, LLP is governed by Limited Liability Partnership Act, 2008 (hereinafter referred to as 'Act, 2008') and therefore, is beyond the purview of Act, 2013. Still in a mechanical manner, order of disqualification and consequences provided in Section 167 (1) (a) of Act, 2013 in respect of petitioners have been notified by ROC in all the companies including LLP. It cannot be doubted that when petitioners' entitlement or capacity to function as Director is disabled or restricted or restrained by referring to Section 164 (2) read with Section 167(1) (a) of Act, 2013, they are greatly prejudiced as they cannot function as Directors of such company having been declared disqualified. This also prejudices the management of Company and all stake holders are bound to suffer adversely.

72. As we have already said that if conditions precedent to attract Section 164 (2) of Act, 2013 is established to exist, consequences are by operation of law but the condition precedent is that the condition of disqualification actually exists and for this purpose, in our view, a bare minimum requirement of notice to such Directors would be necessary to verify, whether such condition exists or not.

73. We could have examined all these writ petitions individually, provided respondents would have given and disclosed details of disqualification suffered by petitioners-Directors necessary to attract Section 164 (2) read with Section 167 (1) (a) of Act, 2013, but unfortunately that has not been done. On the contrary, argument is that three consecutive Financial Years would commence from Financial Year 2013-14. This stand of respondents

clearly shows that what is not permissible to attract Section 164(2) (a) of Act, 2013 has been considered, applied and followed by ROC in publishing orders disqualifying petitioners and suspending their DIN and DSC. We have already held that to attract Section 164 (2) (a) of Act, 2013, Financial Year would commence from 2014-15 and not 2013-14. However, what has been pleaded in the counter affidavit of W.P.-I, if applied in all other cases, apparently it can be said that for only two valid Financial Years there is failure in submission of Annual Statements etc and that being so, requirement under Section 164 (2) (a) of Act, 2013, is not satisfied and, hence, declaration of petitioners-Directors as disqualified to be Director of all companies, is erroneous.

74. Thus, we reiterate that the fact whether there is such failure as contemplated and provided by Section 164(2)(a) of Act, 2013 to attract disqualification thereunder and also to incur consequences provided under Section 167(1) (a) of Act, 2013, it has to be established, as a matter of fact, that there is such failure. For this purpose, in our view, a notice would be necessary to find out whether the alleged disqualification which according to ROC has been incurred by any Director, is an undisputed fact or if disputed, opportunity to concerned person has to be given to establish otherwise.

75. We may also notice that if any Director, despite having incurred disqualification, continues to work as Director, such an act of Director has not been allowed to remain immune from any action, instead it is provided in Section 167 of Act, 2013 that any person, if continuing to function as Director though office of Director has become vacant on account of any disqualification specified under Section 167 (1) of Act, 2013, shall be punished with imprisonment for a term which shall be extended to one year or fine which shall not be less than Rs.1 lakh extendable upto Rs.5 lakhs or with both. Hence, a Director if knowing well that he has incurred disqualification, continued, he will incur further penalty. Therefore, it cannot be said that continuance of a person as Director though under law he has suffered disqualification and he knows it, and office of Director has become vacant, will remain unpunished but he has to suffer further penalty also. It is,

however, true that even this consequence will arise only when basic facts of incurring disqualification are established. This has to be established by an Authority who is responsible for monitoring and ensuring compliance of various provisions of Statute. To this limited extent, in our view, a notice is necessary on the part of ROC to concerned Director, unless Director himself has informed about disqualification it has incurred and that will attract further consequences.

76. The issue of application of principles of natural justice for Sections 164 and 167 of Act, 2013, has been considered and negated by Gujarat High Court in **Gaurang Balvantlal Shah (supra)**, Delhi High Court in **Mukut Pathak (supra)**, Karnataka High Court in **Yashodhara Shroff (supra)** and Telangana High Court in **Venkata Ramana Tadiparthi (supra)**, while Madras High Court in **Bhagavan Das Dhananjaya Das (supra)** has taken a different view.

77. We have examined all the aforesaid authorities in depth and with great respect to the view taken in the aforesaid judgments, we find that a complete embargo on principles of natural justice would not be justified, particularly when to attract disqualification and consequences under aforesaid provisions, certain basic facts, whether exist or not, had to be established and for this purpose at least a notice to concerned person was necessary to be given by ROC. **We, therefore, answer Question-3 accordingly.**

78. The Fourth Question is **“Whether there is any provision empowering Registrar of Companies to de-activate “DIN” of petitioners who were allotted DIN under Section 154 of Act, 2013?”**

79. We need not go into this aspect in detail for the reason that various High Courts have examined relevant statutory provisions on this aspect and have taken a common view that there is no provision which empowers ROC to de-activate DIN, only on the ground that a Director has incurred disqualification under Section 164(2) (a) or his Office has become vacant under Section 167(1) (a). In this regard relevant extract of the judgments of different High Courts may be reproduced as under :

(1) Delhi High Court's judgment in **Mukut Pathak (supra)**,

paragraphs 106, 108, 109 and 110:

“106. Neither any of the provisions of the Companies Act nor the Rules framed thereunder stipulate cancellation or deactivation of DIN on account of a director suffering a disqualification under Section 164(2) of the Act. It is relevant to note that Rule 11 of the Company (Appointment and Qualification of Directors) Rules, 2014 was amended with effect from 05.07.2018 to provide for deactivation of DIN in the event of failure to file Form DIR-3-E-KYC within the period as stipulated under Rule 12A of the said Rules. The amendment so introduced also does not empower the Central Government to cancel or deactivate the DIN of disqualified directors.

108. It is important to note that whereas a DIN is necessary for a person to act as a director; it is not necessary that a person who has a DIN be appointed as a director. Section 164 (2) only provides for temporary disqualification for a period of five years for a person to be appointed/re-appointed as a director. Thus, it is not necessary that the DIN of such person to be deactivated.

109. It is also material to note that sub-section (2) of section 167 of the Act provides for a punishment for any person who functions as a director knowing that his office has become vacant on account of his disqualification as specified in Section 167 (1) of the Act. Thus, Section 167 includes a mechanism for enforcing the rigors of Section 167 (1) of the Act. In the present case, the respondents have sought to cancel/deactivate the DIN of directors disqualified under Section 164 (2) of the Act. This has been done to enforce the provisions of Section 167 (1) of the Act. Clearly, this is not supported by any statutory provision. This Court is of the view that the Central Government having framed the rules specifying the conditions in which a DIN may be cancelled, cannot cancel the same on any other ground and without reference to such rules.

110. Similarly, there is also no provision supporting the respondents action of cancelling the DSC of various directors. The said action is therefore unsustainable.”

(2) Gujarat High Court in **Gaurang Balvantlal Shah (supra)**, Paragraphs 29 to 31:

“29. This takes the Court to the next question as to whether the respondents could have deactivated the DINs of the petitioners as a consequence of the impugned list? In this regard, it would be appropriate to refer to the relevant provisions contained in the Act and the said Rules. Section 152 (3) provides that no person shall be appointed as a Director of a company, unless he has been allotted the Director Identification Number under Section 154, Section 153 requires every individual intending to be appointed as Director of a company to make an application for allotment of DIN

to the Central Government in such form and manner as may be prescribed. Section 154 states that the Central Government shall within one month from the receipt of the application under Section 153 allot a DIN to an applicant in such manner as may be prescribed. Section 155 prohibits any individual, who has already been allotted a DIN under Section 154 from applying for or obtaining or possessing another DIN. Rules 9 and 10 of the said Rules of 2014 prescribe the procedure for making application for allotment and for the allotment of DIN, and further provide that the DIN allotted by the Central Government under the said Rules would be valid for the lifetime of the applicant and shall not be allotted to any other person.

30. Rule 11 provides for cancellation or surrender or deactivation of DIN. Accordingly, the Central Government or Regional Director or any authorized officer of Regional Director may, on being satisfied on verification of particulars of documentary proof attached with an application from any person, cancel or deactivate the DIN on any of the ground mentioned in Clause (a) to (f) thereof. **The said Rule 11 does not contemplate any suo motu powers either with the Central Government or with the authorised officer or Regional Director to cancel or deactivate the DIN allotted to the Director, nor any of the clauses mentioned in the said Rule contemplates cancellation or deactivation of DIN of the Director of the “struck off company” or of the Director having become ineligible under Section 164 of the said Act.** The reason appears to be that once an individual, who is intending to be the Director of a particular company is allotted DIN by the Central Government, such DIN would be valid for the lifetime of the applicant and on the basis of such DIN he could become Director in other companies also. Hence, if one of the companies in which he was Director is “struck off”, his DIN could not be cancelled or deactivated as that would run counter to the provisions contained in the Rule 11, which specifically provides for the circumstances under which the DIN could be cancelled or deactivated.

31. In that view of the matter, the Court is of the opinion that the **action of the respondents in deactivating the DINs of the petitioners-Directors along with the publication of the impugned list of Directors of “struck off” companies under Section 248, also was not legally tenable.** Of course, as per Rule 12 of the said Rules, the individual who has been allotted the FIN, in the event of any change in his particulars stated in Form DIR-3 has to intimate such change to the Central Government within the prescribed time in Form DIR-6, however, **if that is not done, the DIN could not be cancelled or deactivated.** The cancellation or deactivation of the DIN could be resorted to by the concerned respondents **only as per the provisions contained in the said Rules.”**

(3) Telangana High Court in **Venkata Ramana Tadiparthi (supra)**,

Paragraphs 28 and 30

*“28. Clauses (a) to (f) of Rule 11, extracted above, provides for the circumstances under which the DIN can be cancelled or deactivated. The said grounds, **are different from the ground envisaged under Section 164 (2) (a) of the Act. Therefore, for the alleged violation under Section 164 of the Act, DINs cannot be cancelled or deactivated, except in accordance with Rule 11 of the Rules.***

30. In view of the above facts and circumstances and the judgment referred to supra, the deactivation of the DINs of the petitioners for alleged violations under Section 164 of the Act, cannot be sustained.”

80. This Court (Lucknow Bench) also in **Mohd. Tariq Siddiqui (supra)** been quoted in ex tensio, the view taken by Gujarat High Court and has allowed writ petition. Operative part of judgment in para 7 reads as under :

“7. In view of above, the writ petitions for challenge to the deactivation of the Director Identification Number are allowed. It was de-activated on account of dis-qualification in one company effecting Director Identification Number for the other companies. The opposite parties are directed to activate the Director Identification Number of use for other company. The opposite parties would however be at liberty to take legal action against the petitioners for any statutory default or non-compliance of the provisions of the Act of 2013. It would obviously be in accordance with the provisions of law.”

81. **Question-4 is, therefore, answered in favour of petitioners.** We hold that in absence of any provision to deactivate DIN of petitioners if they have incurred disqualification under Section 164 of Act, 2013, the action of respondents and in particular of ROC, in deactivating DIN of petitioners, cannot be sustained.

82. The above discussion leads to the consequence that all writ petitions have to be allowed partly and action of respondents in deactivating DIN of petitioners is to be quashed.

83. We accordingly allow writ petitions partly. We also quash the list published by ROC, declaring petitioners in all these writ petitions as disqualified to be Directors of companies and debarment of being Director for a period of five years.

84. ROC, now, shall be at liberty to give a notice to petitioners to verify

and establish the facts whether disqualification alleged to have been suffered by petitioners-Directors so as to attract Section 164 (2) of Act, 2013, actually exist or not. After giving them opportunity and being satisfied that such disqualification has occurred, it will proceed further in accordance with law.

85. Parties are left to bear their own costs.

Order Date : 16.01.2020

AK/Manish Himwan