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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 717/2021 & I.A. 17572/2021, I.A. 11822/2022,
I.A. 20070/2022

MARICO LIMITED Plaintiff
Through: Ms. Anuradha Salhotra, Adv.
with Mr. Zeeshan Khan and Ms. Sharika
Vijh, Advs.

versus

NARICO AGROVET PRIVATE LIMITED & ANR
.... Defendants
Through: Mr. Abhishek Yadav, Adv. for
D-1
Mr. Rohan Ahuja, Ms. Shruttima Ehersa,
Mr. Vatsalya Vishal and Ms. Amishi Sodani,
Advs. for D-2
Mr. Kirtiman Singh, learned CGSC with Ms.
Durgeshnan Dini, Advs.

CORAM:
HON'BLE MR. JUSTICE C.HARI SHANKAR

% **ORDER**
10.04.2023

1. Mr. Kirtiman Singh, learned CGSC appears and submits that the portal of the Ministry of Corporate Affairs from where forms were required to be accessed and filled in, for change of corporate name, was shut till 23rd January 2023, whereafter it was made functional and continues to remain open.

2. Mr. Abhishek Yadav, learned Counsel for the defendant has drawn my attention to a Circular bearing File No. Policy-17/150/2022-CL-V-MCA dated 7th February 2023 and 21st February 2023 of the Ministry of Corporate Affairs, which are identical to all intents and



purposes. The circular dated 21st February 2023 reads thus:

“General Circular No. 04/2023
File No. Policy-17/150/2022-CL-V-MCA
Government of India
Ministry of Corporate Affairs

5th Floor, 'A' Wing, Shastri Bhawan,
Dr. Rajendra Prasad Road,
New Delhi 110001

Dated: 21.02.2023

To

The DGCoA,
All Regional Directors,
All Registrar of Companies,
All Stakeholders

Subject:- Extension of Time for filing of 45 company e-Forms, PAS-03 and SPICE+PartA in MCA 21 Version 3.0 without additional fee -reg.

Sir/Madam,

Due to change in way of filing in Version-3, including fresh process of registration of users on MCA-21 and process of stabilization of 45 forms launched with effect from 23.01.2023, and after considering various representations, in continuation of General Circulars No. 1/2023 dated 09.01.2023 and 03/2023 dated 07.02.2023, it has been decided to allow further additional time till 31.03.2023 for filing of these forms which are due for filing between 07.02.2023 and 28.02.2023, without additional fees, to the stakeholders.

2. Further, Form PAS-03 which was closed for filing in Version-2 on 20.01.2023 and launched in Version-3 on 23.01.2023, and whose due dates for filing fall between 20.01.2023 and 28.02.2023, can also be filed without payment of additional fees till 31.03.2023.

3. Further, reservation period for the names which are reserved under sub-section (5) of section 4 of the CA 2013 is extended by a further period of 20 days. The resubmission period under rule 9 of Companies (Incorporation) Rules, 2014 falling between 23.01.2023 and 28.02.2023, is also extended by 15 days.

4. This issues with the approval of the Competent Authority.

Encl.: As above.

Yours faithfully,

CS(COMM) 717/2021

Page 2 of 3



Sd/-
KMS Narayanan
Deputy Director”

3. Both these circulars recognise the fact that the process of stabilisation of 45 forms which were launched w.e.f 23rd January 2023 was ongoing. Mr. Yadav submits that the Form No. INC-24, which his client would have had to fill in, to change its corporate name, was one of the said 45 forms.

4. Mr. Kirtiman Singh seeks a short adjournment to take instructions. In order to enable Mr. Kirtiman Singh to take instructions, re-notify on 24th May 2023.

5. Mr. Yadav is directed to place on record, under cover of an appropriate index, after exchanging copies with Ms. Salhotra and Mr. Kirtiman, the circular on which he seeks to place reliance within one week from today.

C. HARI SHANKAR, J.

APRIL 10, 2023
dsn