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

+ **W.P.(C) 4360/2018**

SRIRAM COMPOUNDS PVT LTD

..... Petitioner

Through: Mr. H.K. Chaturvedi with Mr. Sagar
Chaturvedi, Advocates.

versus

SHIVA DRUMS PVT LTD & ORS

..... Respondents

Through: Mr. Vivek Goyal, CGSC with Mr. Harsh
Pandit, Advocate for R-4.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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22.05.2018

CM No. 16899/2018

Exemption allowed subject to all just exceptions.

W.P.(C) 4360/2018

Issue notice returnable on 23rd August, 2018.

Counsel for the petitioner states that he has not been able to ascertain whether appeals have been preferred against similar orders passed by the National Company Law Appellate Tribunal. Petitioner submits that he has challenged the vires and constitutional validity of first proviso to Rule 5 of the company (Transfer of Pending Proceedings) Rules 2016, which he submits is repugnant and contrary to the main enactment.

Steps for service would be taken within seven days.

Counter affidavit would be filed within four weeks of service.



Rejoinder, if any, within four weeks after service of the counter affidavit.

SANJIV KHANNA, J.

CHANDER SHEKHAR, J.

MAY 22, 2018
MR