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

+ CS(COMM) 1305/2016 & I.As. 10442/2017, 12547/2018.
EXSCHAIN LOGISTICS INDIA PVT LTD Plaintiff
Through: Mr. Humraz Bir Singh, Advocate.

versus

SHREE HARI OVERSEAS PVT LTD Defendant
Through: Mr. Tarun Singla, Mr. Pankush
Goyal, Advocates.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
25.05.2023

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1. Pursuant to order dated 06.04.2023, Mr. Tarun Singla, learned counsel, appears on behalf of his colleagues—Mr. Mukesh Sharma, Mr. Sumit Malhotra, Mr. Abhishek Chabra, learned counsel who had filed the written statement and various pleadings on behalf of the defendant. He states that the said counsel are no longer instructed on behalf of the defendant. He has also produced a copy of the database of the defendant-Company on the website of the Ministry of Corporate Affairs, Government of India, which shows that the two directors of the defendant- Company have resigned in the years 2016 and 2018. No new directors are shown. The status of the company is listed as “*ACTIVE Non-Compliant*”.

2. As noted in order dated 06.04.2023, service has also been attempted at the registered office of the defendant-Company by Speed



Post. In addition to summons which were originally served upon the defendant, leading to counsel having entered appearance on its behalf and filing the written statement, another attempt to serve notice to the defendant at the registered address has thus also been made. Such service upon a Company is sufficient notice in terms of Section 12 and 20 of the Companies Act, 2013.

3. The defendant is, therefore, proceeded *ex-parte*.
4. List before the learned Joint Registrar for consideration of I.A. 12547/2018 and further proceedings on 25.07.2023.
5. List before the Court on 23.11.2023.

PRATEEK JALAN, J

MAY 25, 2023
“Bhupi”/