



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 29<sup>TH</sup> DAY OF FEBRUARY, 2024**

**BEFORE**

**THE HON'BLE MR JUSTICE SURAJ GOVINDARAJ**

**COMPANY APPLICATION NO. 30 OF 2023**

**IN**

**COMPANY PETITION NO.149 OF 2011**

**BETWEEN:**

1. KIRTI D SHAH  
S/O. DHANJI DHARMSHI,  
AGED ABOUT 64 YEARS,  
RESIDING AT NO. 420,  
10<sup>TH</sup> CROSS, 7<sup>TH</sup> MAIN, J. P. NAGAR,  
II PHASE, BANGALORE-560 078.
2. TARUN D DHARAMSHI  
S/O. DHANJI DHARAMSHI,  
AGED ABOUT 52 YEARS,  
RESIDING AT NO. 601, 52,  
SWASTIK SOCIETY JOY APARTMENT,  
4TH ROAD, JVPD SCHEME JUHU  
VILLE PARLE (W), MUMBAI-400 056.
3. KALPANA T DHARAMSHI  
W/O. TARUN D DHARAMSHI,  
AGED ABOUT 56 YEARS,  
RESIDING AT NO. 601, 52,  
SWASTIK SOCIETY JOY APARTMENT,  
4TH ROAD, JVPD SCHEME JUHU  
VILLE PARLE (W), MUMBAI-400 056.
4. VIREN K DHARAMSHI  
S/O. KIRTI SHAH,  
AGED ABOUT 40 YEARS,  
RESIDING AT NO. 420, 10<sup>TH</sup> CROSS,  
7TH MAIN, J. P. NAGAR,  
II PHASE,  
BANGALORE-560 078.

Digitally signed  
by  
NARAYANAPPA  
LAKSHMAMMA

Location: HIGH  
COURT OF  
KARNATAKA



5. JYOTHI K DHARAMSHI  
D/O. KIRTI SHAH,  
AGED ABOUT 64 YEARS,  
RESIDING AT NO. 420, 10<sup>TH</sup> CROSS,  
7TH MAIN, J. P. NAGAR,  
II PHASE,  
BANGALORE-560 078.
6. JATIN TARUN DHARAMSHI  
S/O. TARUN DHARAMSHI,  
AGED ABOUT 28 YEARS,  
RESIDING AT NO. 601, 52,  
SWASTIK SOCIETY JOY APARTMENT,  
4<sup>TH</sup> ROAD, JVPD SCHEME JUHU,  
VILLE PARLE (W),  
MUMBAI-400 056.

...APPLICANTS

(BY KUM. NIYATHI M., ADVOCATE FOR  
UDAYA SHANKAR ASSOCIATES)

**AND:**

M/S. DELUXE ROADLINES (P) LTD.,  
REP BY ITS CHAIRMAN,  
MR. KHUSHALCHAND D SHAH,  
NO. 79, 4<sup>TH</sup> CROSS, NARASHIMARAJA ROAD,  
BENGALURU-560 019.

...RESPONDENT

(BY SRI. JAGADEESHGOUDE PATIL .,ADVOCATE FOR OL)

THIS COMPANY APPLICATION IS FILED UNDER RULE 9 OF THE COMPANIES (COURT) RULES 1956 PRAYING TO SET ASIDE THE MEETING DATED 15.04.2010 AND CONSEQUENTIAL ALLOTMENT OF 5,20,000 EQUITY SHARES OF BY RESPONDENT HEREIN COPY OF THE ORDER DATED 07.12.2018 IS ENCLOSED AS ANNEXURE-ZC

THIS COMPANY APPLICATION, COMING ON FOR ORDERS, THIS DAY, THE COURT MADE THE FOLLOWING:



## **ORDER**

1. The applicants are before this Court seeking for the following reliefs:
  - i. *To set aside the meeting dated 15.04.2010 and consequential allotment of 5,20,000 equity shares of by respondent herein. Copy of the order dated 07.12.2018 is enclosed as Annexure-ZC.*
2. On enquiry with the learned counsel for respondent - company as to whether the company is functioning, he fairly submits that the company has become *defuncto* long ago as also infact struck off from the Registrar of Companies on account of company having become *defuncto*. His submission is placed on record.
3. In view of the company having itself become *defuncto* and no business is found to be run in the registered office of the company, C.A.No.30/23 does not survive for consideration. C.A.No.30/2023 stands dismissed.

**Sd/-  
JUDGE**

List No.: Sl No.: