



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

252

CRM-M-1773-2015
Date of decision: 27.08.2025

MOHAN MOTIRAM JAYAKARPetitioner

VERSUS

REGISTRAR OF COMPANIES, PUNJAB, H.P. AND CHD
.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Aashish Chopra, Senior Advocate with
Mr. Gagandeep Singh, Advocate and
Mr. Abhishek Kansal, Advocate
for the petitioner.

Mr. Brijeshwar Singh Kanwar, Senior Panel Counsel
for the respondent-Union of India.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed seeking setting aside of the order of Summoning dated 22.11.2000 in complaint case No. 38 filed before the Chief Judicial Magistrate, Patiala under Section 58A(10) of the Companies Act, 1956.

2. Learned Senior Counsel contends that the proceedings initiated against the petitioner are unsustainable since the petitioner was a nominee Director and had resigned one year prior to the passing of the order by the Company Law Board under Section 58(A) (10) of the Companies Act, 1956.



CRM-M-1773-2015

-2-

He contends that the controversy involved in the present case is covered by the judgment of this Court dated 09.01.2024 passed in CRM-M-32022 of 2014 titled '*A.K. Sud and others versus Registrar of Companies, Punjab*'.

3. He contends that on the last date of hearing i.e. 01.03.2025, the said contentions of the petitioner were noticed and Counsel for the respondent-Union of India had sought time to go through the judgment and to assist this Court.

4. On resumed hearing, Mr. Brijeshwar Singh Kanwar, Senior Panel Counsel for respondent-Union of India fairly concedes that the dispute involved in the present case would be covered in favour of the petitioner by the judgment dated 09.01.2024 in the matter of *A.K. Sud (supra)*.

5. The present petition is accordingly **allowed** in terms of the judgment dated 09.01.2024 in the matter of *A.K. Sud (supra)*.

AUGUST 27, 2025

Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No