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

+ **W.P.(C) 2357/2025**

SPL INDUSTRIES LIMITED

.....Petitioner

Through: **Mr. Anuj Malhotra, Advocate.**

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: **Mr. Farman Ali, CGSC with Ms.
Usha Jamnal, Advocate for UOI.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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24.11.2025

1. By way of this petition under Article 226 of the Constitution, the petitioner- SPL Industries Limited ["Company"] [CIN - L74899DL1991PLC062744] assails an order of the Regional Director, Northern Region, Ministry of Corporate Affairs, passed on 03.12.2024 under Section 16(1)(a) of the Companies Act, 2013. By the said order, the petitioner has been directed to change its name within three months from the date of the order after following due process. The order has been passed on the ground that the name of the petitioner-company is identical to the name of a previously incorporated company bearing CIN U17120MH1983PLC031599 [respondent No. 5 herein].

2. I have heard Mr. Anuj Malhotra, learned counsel for the petitioner, and Mr. Farman Ali, learned Central Government Standing Counsel for respondent Nos. 1 to 4.



3. By order dated 31.10.2025, respondent Nos. 1 to 4 were directed to ensure that notice alongwith the copy of this petition were served upon respondent No. 5 at its registered office [138, Kazi Sayed Street, Mumbai, Maharashtra-400003] through the Registrar of Companies, Mumbai ["RoC"], so as to enable it to enter appearance.

4. Mr. Ali has handed over in Court a copy of the report dated 06.11.2025 addressed by the staff of RoC, Mumbai, to the RoC. It reads as follows:

"Sub: Address Verification As per office memorandum vide no. ROC/Officememorandum-20/2025/352 and letter no. ROC/353 Dated 06/11/2025

Sir,

In Pursuance of office memorandum vide no. ROC/Officememorandum-20/2025/352 and Letter No. ROC/353 dated 06/11/2025 received from the office of Registrar of Companies, Mumbai. For Verifying the registered address of the company M/s SPL Industries Limited CIN:U17120MH1983PLC031599. I Dattatray Maruti Hule So late Shri Maruti Hule Age 47 Occupation- MTS 100 Everest Building, Marine Drive Mumbai, 400002 Visited the registered office of the company for address verification, 138, Kazi Sayeed Street, Mumbai, Maharashtra 400003 but found name plate and sign board of the other entity named R. K. ENTERPRISE, Authorise Revo Distributor.

Thereafter I clicked Photo of the Said registered address of the SPL Industries Limited from my Mobile hand set which Pictures are enclosed as Annexure A and B. I Verified the Address consciously therefore it is true and fair verification is done from my side."

Certain photographs are also annexed thereto. A copy of the said document is taken on record.

5. In view of the report received from the concerned RoC, which shows that respondent No. 5 is not operating from its registered address, no further service upon respondent No. 5 is required.



6. Factually, the petitioner-company and respondent No. 5-company have both taken the name “*SPL Industries Ltd.*”, but after their original dates of incorporation. The petitioner was incorporated on 06.12.1991 as “*Shivalik Prints Private Limited*” and changed its name to “*SPL Industries Limited*” on 23.09.1994, which was approved by the RoC on 26.09.1994. Respondent No. 5, on the other hand, was originally incorporated on 19.12.1983 as “*Shanti Dyeing and Printing Mills (Bombay) Private Limited*” but subsequently changed its name to “*SPL Industries Limited*” on 01.11.1995.

7. The impugned order, however, proceeds on the basis of the original dates of incorporation of both companies, i.e., respondent No. 5 in the year 1983 and the petitioner in the year 1991. Although it records the submission of the petitioner-company that this name had been taken after a change, it does not allude to this fact in the analysis, nor to the fact that respondent No. 5-company, in fact, assumed the same name later than the petitioner-company. In these circumstances, the order suffers from failure to consider all relevant facts. The petitioner had assumed the name “*SPL Industries Ltd.*” before respondent No. 5, but there is no discussion in the impugned order, as to why the petitioner nevertheless ought to change its name.

8. As noted above, it also appears that respondent No. 5 is not operating at its registered office at all.

9. For the aforesaid reasons, the impugned order dated 03.12.2024 is unsustainable in law, and is set aside under Article 226 of the Constitution.

10. In the event, the concerned Regional Director wishes to take any



further action against the petitioner or respondent No. 5, it is free to do so in accordance with law, after issuing notice to the concerned parties.

11. The writ petition is therefore disposed of.

PRATEEK JALAN, J

NOVEMBER 24, 2025

'pv/JM'/'