



October 12, 2017

Online intimation/submission

To,
The Secretary
BSE Limited
Phiroze Jeejeebhoy Towers
Dalal Street
Mumbai-400 001
Security Code: 505200

To,
The Secretary
National Stock Exchange of India Ltd
Exchange Plaza, 5th Floor
Plot No.C/1, G Block
Bandra Kurla Complex, Bandra (E)
Mumbai-400 051
Symbol: EICHERMOT

Dear Sir/Madam,

Subject: Disqualification of Director under Section 164(2) of the Companies Act, 2013

This has reference to the letter no. NSE/LIST/20663 dated September 27, 2017, received from National Stock Exchange of India Limited on the subject. We took note that one of the directors on the Board of our Company is included in the list of directors disqualified under Section 164(2) of the Companies Act, 2013, posted on the website of Ministry of Corporate Affairs.

In this regard, we submit that Hon'ble High Court of Delhi, on a Petition filed by the directors of the company that had allegedly defaulted in filing its annual returns leading to disqualification of its directors, has on October 10, 2017, stayed the direction of Ministry of Corporate Affairs, Government of India, disqualifying the petitioners from acting as directors of companies, till the next date of hearing i.e. November 1, 2017. A copy of the said order of Hon'ble High Court of Delhi is attached. The matter has also been brought to the Notice of the Board of Directors of the Company.

The Company will keep the Stock Exchanges informed under Regulation 30 of SEBI (Listing Obligations and Disclosure Requirements) Regulations 2015, if required.

You are requested to take the same on your record.

Thanking you,
For Eicher Motors Limited

Manhar Kapoor
General Counsel & Company Secretary

Encl: a.a.

Eicher Motors Limited	Registered Office
Corporate Office:	CIN: L34102DL1982PLC129877
#96, Sector - 32	3rd Floor-Select Citywalk
Gurgaon - 122 001	A-3, District Centre, Saket
Haryana, India	New Delhi-110 017, India
Tel+91 124 4415600	Email: info@eicher.in

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

+ W.P.(C) 8876/2017

SRINIVASAN SANDILYA & ORS

..... Petitioners

Through: Dr A.M. Singhvi, Senior Advocate
with Mr Vinay Vaish, Mr Satwinder
Singh, Mr Manish Tully, Mr N.P.S.
Chawla, Mr Gaurav Varma, Mr
Gaurav Sethi and Mr Anand Jha,
Advocates.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr Vinod Diwakar, CGSC with Mr
Akshaya Agarwal, Advocate for R-1
& 2.
Mr Sandeep Narain, Advocate for R-
3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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10.10.2017

CM No. 36295/2017

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 8876/2017 & CM No. 36294/2017

3. Issue notice.
4. The learned counsel appearing for respondents accept notice and seeks time to take instructions/ file a reply.
5. The petitioners have filed the present petition impugning the list of disqualified directors published by the respondents inasmuch as it seeks to

Ravi
10/10/2017
for Court Master
High Court of Delhi
New Delhi

disqualify the petitioners under Section 164(2)(a) of the Companies Act, 2013 for financial years 2014 to 2016.

6. The principal grievance of the petitioners is that the said order has been passed without issuing any show cause notice and without considering the specific facts relating to the petitioners. It is also pointed out Section 164(2)(a) of the Companies Act, 2013, specifically provides that the Director of a company who has not filed financial statements or annual returns for a continuous period of three financial years would not be eligible for re-appointment as a Director of that company or for appointment for Director of any of the company. *Prima facie*, it appears that the said provision does not provide for immediate disqualification of Directors.

7. In view of the above, the direction disqualifying the petitioners from acting as Directors of companies is hereby stayed till the next date of hearing.

8. List on 01.11.2017.

9. Order *dasti* under signatures of the Court Master.



VIBHU BAKHRU, J

OCTOBER 10, 2017

RK


for Court Master
High Court of Delhi
New Delhi
10/10/17