

41925/2021

A-S- Vishwasjitk Adv

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IN THE HIGH COURT OF KARNATAKA, BENGALURU

DATED THIS THE 30TH DAY OF SEPTEMBER, 2021

BEFORE

THE HON'BLE MR. JUSTICE KRISHNA S.DIXIT

WRIT PETITION NO.8724 OF 2021(GM-RES)

BETWEEN:

M/S METRIC INFRA PROJECTS PRIVATE LIMITED
HAVING ITS REGISTERED OFFICE AT
NO.2, 11TH FLOOR, SOLUS,
1ST CROSS, J C ROAD,
BENGALURU - 560 006.
REPRESENTED BY ITS
MANAGING DIRECTOR
SRI.KISHORE JAIN.

...PETITIONER

(BY SRI. MOHAMMED AKHIL NAZEER, ADVOCATE)

AND:

M/S BHIMASAMUDRA LAND DEVELOPERS AND BUILDERS,
HAVING ITS REGISTERED OFFICE AT
NO.225, SNEHA APARTMENTS,
FLAT NO.102, 18TH CROSS,
SADASHIVANAGAR,
BENGALURU - 560 080.

... RESPONDENT

(BY SRI.P. CHIDANANDA, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
CALLING FOR THE RECORDS OF THE ORDER DATED
16.04.2021 AND MADE AVAILABLE ON 26.04.2021 PASSED
BY THE LEARNED NATIONAL COMPANY LAW TRIBUNAL,
BENGALURU IN CP (IB) NO.60/BB/2020 AND QUASH/SET
ASIDE THE SAME AS ILLEGAL AND NON-EST IN LAW
ANNEXURE-N.



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THIS PETITION COMING ON FOR PRELIMINARY HEARING THIS DAY, THE COURT MADE THE FOLLOWING:-

ORDER

Learned counsel for the respondents point out that in respect of the very same grievance now ventilated in this writ petition, the petitioner has availed the remedy of appeal before the National Company Law Appellate Tribunal (for short "NCLAT") and therefore the writ petition need not be kept pending. This contention is not controverted by the petitioner's side.

In view of the above, this writ petition is disposed off keeping open all contentions to be urged before the Tribunal in accordance with law.

No costs.

The application in IA No.2/2021 pales into insignificance.

Sd/-
JUDGE



Bsv

- a) The date on which the application was made 7/10/24
- b) The date on which charges and additional charges if any are called for 23/10/24
- c) The date on which charges and additional charges, if any are deposited / Paid 23/10/24
- d) The date on which the copy is ready for delivery 23/10/24
- e) The date of notifying that the copy is ready for delivery 23/10/24
- f) The date on which the applicant is required to appear on or before 23/10/24
- g) The date on which the copy is delivered to the Applicant 25/10/2024
- Examinated by 25/10/2024

TRUE COPY
[Signature]
Section Officer
High Court of Karnataka
Bangalore - 560 001