

Court No. - 3

Case :- WRIT - C No. - 27000 of 2023

Petitioner :- M/S. Aarvanss Buildwll And Infracon Llp

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Shyam Mani Shukla

Counsel for Respondent :- C.S.C., Amit Shukla, Pranjal Mehrotra, Sandeep Arora

Hon'ble Siddhartha Varma, J.

Hon'ble Shekhar B. Saraf, J.

1. In this particular petition, the counter affidavit has been filed by the State that indicates that status-quo order was prevailing at the time the instant writ petition was filed. This particular fact of the status-quo order passed by the National Company Law Tribunal has been completely suppressed in the writ petition. This suppression of material facts makes the writ petition liable to be dismissed with exorbitant cost as the same is a mala fide petition and an extreme abuse of the process of this Court. The counter affidavit be kept on record.

2. Learned counsel on behalf of the petitioner has now prayed before this Court that he be allowed to withdraw this writ petition and has sought unconditional apology before this Court with regard to the same.

3. We, however, are of the view that such kind of practices are required to be dealt with sternly.

4. The writ petition, accordingly, stands dismissed with an expectation that in future the petitioner shall not indulge in such practices.

Order Date :- 14.12.2023

GS

(Shekhar B. Saraf, J.)

(Siddhartha Varma, J.)