Date of reserved for orders/judgment: -
Date of pronouncement: 24-06-2026
Date of uploading :

APHC010400282024

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

WEDNESDAY, THE 24th DAY OF JUNE 2026

PRESENT

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

WRIT PETITION NO: 20334 OF 2024

Between:

1. BGR ENERGY SYSTEMS LIMITED, Represented by its Authorized Signatory S. Harishram Srinivasan, Having its Manufacturing Unit at A-5 Pannamgadu Industrial Estate, Ramapuram Post, Sullurpet Taluk, Nellore District, Andhra Pradesh

...Petitioner

AND

1. UNION OF INDIA, Rep by its Principal Secretary Ministry of Corporate Affairs, New Delhi.

2. Honble National Company Law Tribunal, Rep by its Registrar, Amaravathi.

3. Trinity Associates, No. 132, R Complex, Travelers Bungalow Opposite Erode Road, Tiruchengode, Tamil Nadu 637 211 Respondents The address for servi

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased topleased to issue a writ or direction, preferably a writ of Prohibition, declaring the 2nd Respondent Tribunal has no jurisdiction or authority to

entertain CP(IB)123/9/AMR/2022 proceeding as it is non-est/ void in law, and consequentially to dismiss the proceedings in CP(IB)123/9/AMR/2022 pending before the Honble National Company Law Tribunal, Amaravathi Bench and to pass

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased pleased to stay all further proceedings in CP(IB)123/9/AMR/2022 on the file of the Hon'ble National Company Law Tribunal, pending disposal of the writ petition orand pass

Counsel for the Petitioner: T V P SAI VIHARI

Counsel for the Respondents: RAVITEJA PADIRI Counsel for the Respondents:G SAI NARAYANA RAO SC FOR CENTRAL. GOVT.

The Court made the following order:

THE HON'BLE SRI JUSTICE BATTU DEVANAND

AND

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

WRIT PETITION NO: 20334 OF 2024

ORDER: *(Per Hon'ble Sri Justice Battu Devanand)*

In an identical matter, a Co-ordinate Bench of this Court in Writ Petition No.30061 of 2025, in its order, dated 03.11.2025 dismissed the said Writ Petition in view of the fact that the petitioners therein have an effective alternative remedy before the National Company Law Appellate Tribunal [N.C.L.A.T]. As such, they are not entitled to invoke the extraordinary jurisdiction under Article 226 of the Constitution of India.

2. By following the said order, this Writ Petition is also dismissed holding that as an effective alternative remedy before the National Company Law Appellate Tribunal [N.C.L.A.T] is available to the petitioners, they are not entitled to invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India.

3. Accordingly, the Writ Petition is dismissed.

4. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

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JUSTICE BATTU DEVANAND

_____

JUSTICE A.HARI HARANADHA SARMA

Dated: 24.06.2026
PKR

Whether the order is :

Speaking Yes/No / Recorded Yes/No

Reportable Yes/No / Non-Reportable Yes/No

THE HON'BLE SRI JUSTICE BATTU DEVANAND

&

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

179

WRIT PETITION NO: 20334 OF 2024

Dated: 24.06.2026
PKR