

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2017

CORAM

THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.15946 of 2017 &
W.M.P.No.s 17257 & 17258 of 2017

M/s.Archer Power Systems Pvt Ltd.

403L, Pantheon Road

Egmore, Ch- 600 008

Now at : 3rd Floor Block,

A .No.29, Dr. Radhakrishnan Road

Mylapore Chennai- 600 004

Rep.by its Director

Rohit Rabindernath

.... Petitioner

vs.

1 National Company Law Tribunal

Chennai Bench

Rep.by its Assistant Registrar

Corporate Bhavan, Rajaji Salai

Chennai-01.

2 Cascade Energy Pte Ltd.

Having its registered Office at

203 Hougang Street No.03-73

Singapore - 530 203.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records of the 1st respondent in CP /19/2017, dated 14.06.2017 and quash the same as illegal, arbitrary and against the principles of natural justice.

For Petitioner : Mr.Arvind Pandian, Senior Counsel
for Mr.M.Sricharan Rangarajan

For Respondents : Mr.J.Sivanandaraj, Senior Counsel
for Mr.V.Sankara Narayanan - for

O R D E R

Mr.Arvind Pandian, learned Senior Counsel appearing for the petitioner submitted that the appeal filed by the petitioner before the National Company Law Tribunal, New Delhi though

listed as item No.9 in today's list, since there is no sitting of the Tribunal today, the matter has been adjourned to 14.07.2017. However, the learned Senior Counsel, sought permission of this Court to withdraw the Writ petition with liberty to prosecute the appeal before the Tribunal. The learned counsel also made an endorsement to that effect.

2. The writ petition cannot be allowed to continue for the reason that the petitioner had already filed an appeal before the Tribunal challenging the impugned order.

3. In view of the same, the Writ petition stands dismissed as withdrawn. It is open to the petitioner to prosecute the appeal filed before the National Company Law Tribunal, New Delhi, in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Rj

To

1 The Assistant Registrar
National Company Law Tribunal
Chennai Bench
Corporate Bhavan, Rajaji Salai
Chennai-01.

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+1cc to Mr.V.Sankaranayaranan, Advocate SR.No.48279
+1cc to Mr.Srichavan Rangarajan, Advocate SR.No.48224

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