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

+ **W.P.(C) 11814/2015**

ALCHEMIST ASSET RECONSTRUCTION COMPANY PVT.

LTD. & ANR

..... Petitioners

Through: Mr. Amit Singh Chadha, Sr. Advocate
with Ms. Swati Sharma, Ms. Manmayi Sharma
and Ms. Srishti Govil, Advocates.

versus

M/S HOTEL GAUDAVAN PVT. LTD. & ANR Respondents

Through: Mr. Ashu Kansal, Advocate for R-1.
Mr. Sudhir Nandrajog, Sr. Advocate with Mr. S.K.
Tyagi, Mrs. Siddharth Chaudhary, Ms. Mansi
Batra, Advocates for R-3 to 6.
Mr. Tanmay Mehta, Ms. Gayatri Gulati and Ms.
Sneh Dhillon, Advocates for Impleaders in CM
No. 6911/2018.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

05.07.2018

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Counsel for the parties have been informed that spouse of one of us (Sanjiv Khanna J.) has some shares in State Bank of India. They state that they have no objection if this Bench hears this matter.

2. Because of subsequent events, the present writ petition has been rendered infructuous.

3. M/s Alchemist Asset Reconstruction Company Limited has filed the present writ petition impugning the order dated 7th December, 2015 passed

by the Debt Recovery Appellate Tribunal in Appeal No. 146/2015 holding that the account of M/s Hotel Gaudavan Private Limited was wrongly classified as a Non-Performing Asset.

4. During the pendency of the present writ petition, the petitioner herein had filed an application under the Insolvency and Bankruptcy Code, 2016 on 9th March, 2017 pursuant to which the Adjudicating Authority had passed a resolution plan on 13th December, 2017 and the said plan has been partly implemented.

5. In view of the aforesaid position, we need not go into the question raised in the present writ petition, which has been rendered infructuous and need not be decided due to the subsequent events. The question, therefore, raised in the present writ petition is of academic interest. The writ petition is disposed of, with liberty to the parties to ask for revival by moving an application, if required and necessary.

SANJIV KHANNA, J.

CHANDER SHEKHAR, J.

JULY 05, 2018
MR/VKR