

HIGH COURT FOR THE STATE OF TELANGANA
THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN
AND
THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY
WRIT PETITION No.3284 of 2020
28.02.2020

Between:

M/s. Wisdom IT Services India Private Limited

... Petitioner

and

The National Company Law Tribunal and another

...Respondents

Counsel for the petitioner : Mr. Mohammed Obaid Ur Rahman

Counsel for the respondents: Mr. Namavarapu Rajeshwar Rao,
Assistant Solicitor General

The Court made the following:



ORDER: (Per the Hon'ble the Chief Justice Sri Raghvendra Singh Chauhan)

The petitioner has challenged the legality of the show cause notice, dated 17.01.2020, issued by the National Company Law Tribunal, Hyderabad Bench.

Mr. Mohammed Obaid Ur Rahman, the learned counsel for the petitioner, claims that there is large number of litigation between the petitioner and the respondent No.2, Falcon Minds Consulting Private Limited. Therefore, this present writ petition has been filed seeking for some relief from this Court.

However, the writ petition is highly misconceived. Firstly, a show cause notice does not violate a civil or fundamental right. Therefore, the jurisdiction of this Court, under Article 226 of the Constitution of India, cannot even be invoked. Secondly, if the petitioner were aggrieved by the show cause notice, he has an alternative remedy under the Insolvency and Bankruptcy Code, 2016. Therefore, as the petitioner has an efficacious alternative remedy, this writ petition is not maintainable.

For the reasons stated above, this Court does not find any merit in the present writ petition; it is, hereby, dismissed. There shall be no order as to costs.

The miscellaneous petitions pending, if any, shall stand closed.

RAGHVENDRA SINGH CHAUHAN, CJ

A. ABHISHEK REDDY, J

28th February, 2020
JSU

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