

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.4742 OF 2020

ORDER:

Heard Sri S.Niranjan Reddy learned senior counsel appearing on behalf of Sri Avinash Desai, learned counsel for the petitioner and Sri N.Rajeshwar Rao, learned Assistant Solicitor General of India for respondents.

This writ petition is filed seeking the following relief :-

“.....(i) writ of mandamus or any other appropriate writ, order or direction restraining the Respondents and their agents/officers from taking any coercive steps including investigation under Section 212 of the Companies Act, 2013, without following the procedures under Sections 206 to 208 of the Companies Act, 2013, without awaiting the final decision of SEBI;

(ii).....”

When the matter is taken up for hearing, learned Assistant Solicitor General of India appearing for respondents had informed the Court that the respondents have already passed order on 27.02.2020 under Section 212 of the Companies Act, 2013 (for short ‘the Act’) and if the petitioner is aggrieved, it is always open for him to challenge the same

Learned senior counsel appearing for the petitioner has also not disputed the said submission.

This Court, having considered the submissions of the learned counsel appearing for the respective parties is of the considered view that as on today, the cause in the writ petition does not survive as the respondents have already passed order dated 27.02.2020 under Section 212 of the Act. However, if the

petitioner is aggrieved, he is at liberty to challenge the same, in accordance with law.

With the above observations, this writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 03-03-2020
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