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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 6417/2020

SWATI BHATNAGAR

..... Petitioner

Through

Mr.A.T.M. Rangaramanujam, Sr.
Adv. with Mr.Sidharth Joshi,
Mr.Gopal Singh Chauhan,
Mr.Ambareen and Mr.Dhanesh,
Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through

Mr.Anil Soni, CGSC for R-1 & 2.
Mr.Abhishek Kumar, Adv. for R-3.
Mr. Nilotpall Shyam, Adv. for R-4.
Mr.Mohd Nazim Khan, Adv. for R-5/IRP.
Mr. Bishwajit Dubey, Mr.Shatrajit Banerji, Ms.Ashlesha Mittal, Adv. for R- 6.
Mr.R.K.Gupta, Adv. for R-7.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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15.09.2020

This hearing has been held by video conferencing.

CM No.22709/2020 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 6417/2020 & CM No.22708/2020 (Stay)

1. The grievance of the petitioner appears to be that an application, being I.A. No.2279/2020, filed by the petitioner before the learned National

Company Law Tribunal, New Delhi, was directed to be listed alongwith I.A. No.1995/2020 filed by the respondent no.6 herein, but was not taken up for hearing by the learned NCLT on 28.08.2020, when the Impugned Order was passed.

2. In my view, for the said grievance, the petitioner has to approach the learned NCLT itself and cannot maintain the present petition.

3. As far as the order dated 28.08.2020 passed in I.A. No.1995/2020 is concerned, the learned counsel for the respondent no.6 submits that the remedy of the petitioner would be in form of an appeal before the learned National Company Law Appellate Tribunal.

4. The said submission is not denied by the learned senior counsel for the petitioner.

5. In view of the availability of an alternate efficacious remedy, I do not deem it a fit case to exercise the jurisdiction under Article 226 of the Constitution of India.

6. The petition is dismissed, leaving it open to the petitioner to avail of its statutory legal remedy, if so advised.

NAVIN CHAWLA, J

SEPTEMBER 15, 2020/Arya