

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 4919 of 2021**

1. S K S Enterprises Through Ganesh Kumar Maheshwari Karta Of Ganesh Maheshwari HUF Controlling The Affairs Of SKS Enterprises, Address- 5, Sarafa Bazaar, Champa 495671, District- Janjgir-Champa, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Ministry Of Home Naya Raipur, District- Raipur, Chhattisgarh
2. The Collector, District- Janjgir-Champa, Chhattisgarh
3. The Superintendent Of Police, Janjgir-Champa, Chhattisgarh
4. The Tahildar, Tehsil And District- Janjgir-Champa, Chhattisgarh,
5. Madhya Bharat Papers Limited- Paper Mill, Through Its Managing Director At Village Birgahani-Pisod, District- Janjgir-Champa, Chhattisgarh,

----Respondents

For Petitioner	:	Mr. Parag Kotecha, Advocate.
For State	:	Ms. Sameeksha Gupta, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****09.12.2021**

1. The present writ petition has been filed seeking an interim protection against the respondent No. 5 from selling away the assets and property belonging to the petitioner.
2. From the plain perusal of the pleadings to the writ petition, it appears that the dispute between the petitioner and the respondent No. 5 is already seized by the National Company Law Tribunal (NCLT) since 2021.

3. Given the fact that for the same cause of action, the matter is seized by the NCLT, the subsequent writ petition arising out of the same dispute would not be maintainable before this High Court. The petitioner, if so advised, can take appropriate recourse from the NCLT by making an appropriate application in this regard.
4. The present writ petition accordingly stands rejected, with the aforesaid liberty.

**Sd/-
P. Sam Koshy
Judge**