



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2022

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA
AND
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.Nos.14398, 14403 and 14406 of 2022 and
W.M.P. Nos.13619, 13620, 13623, 13624, 13627 & 13629 of 2022

Sunku Vasundhara .. Petitioner in W.P. No.14398 of 2022
N.Ranganatha Gupta .. Petitioner in W.P. No.14403 of 2022
N.Prasanna Kumar .. Petitioner in W.P. No.14406 of 2022

-vs-

1.State Bank of India,
represented by Assistant General Manager,
Stressed Asset Management Branch,
Red Cross Building,
Montieth Road,
Egmore, Chennai - 600 008.

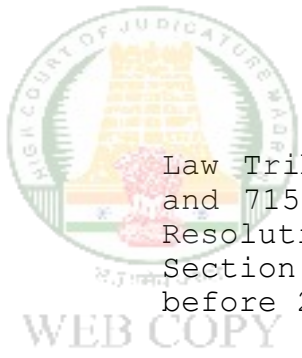
2.Anil Kumar Khicha .. Respondents in all cases

Prayer in all petitions: Writ Petitions filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari calling for the records in the Proceedings in I.B.A. Nos.720, 718 and 715/2020 respectively on the file of the Hon'ble National Company Law Tribunal, Division II, Chennai Bench and quash the impugned order dated 29.04.2022 passed by the Hon'ble National Company Law Tribunal, Division II, Chennai Bench.

For Petitioners : Mr.Vineet Subramanian
for M/s.Vivrti Law
For respondents : Mr.K.Chandrasekaran,
SBI (Panel) for R1

COMMON ORDER
(Order of the Court was made by T.RAJA, J.)

These writ petitions have been filed, challenging the impugned order dated 29.04.2022 passed by the National Company



Law Tribunal, Division II, Chennai Bench in I.B.A. Nos.720, 718 and 715/2020 respectively, wherein a direction was given to the Resolution Professional to file an Interim Application under Section 106 of the Insolvency and Bankruptcy Code, 2016 on or before 29.06.2022.

2.Since the petitioners are having effective and statutory remedy before the Appellate Authority, they cannot come to this Court invoking Article 226 of the Constitution of India. If they are aggrieved, they have to work out their remedy by filing an Appeal before the Appellate Authority.

3.Learned counsel for the petitioners brought to the notice of this Court that the petitioners were not even served with the copy of the report dated 01.04.2022.

4.Accordingly, these writ petitions stand dismissed with liberty to the petitioners to raise such plea before the Appellate Authority. Consequently, W.M.P. Nos.13619, 13620, 13623, 13624, 13627 & 13629 of 2022 are closed. No costs.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

vga

To

State Bank of India,
represented by Assistant General Manager,
Stressed Asset Management Branch,
Red Cross Building,
Montieth Road,
Egmore, Chennai - 600 008.

+3cc to Mr.R.S.Diwaagar, Advocate, S.R.No.35851, 35849, 35847

W.P.Nos.14398, 14403 and 14406 of 2022 and W.M.P. Nos.
13619, 13620, 13623, 13624, 13627 & 13629 of 2022

AD(CO)
SB(29/06/2022)