

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 13885 OF 2024.

Krishna Kunj Annexe CHS Ltd., And Ors

...Petitioners.

Versus

Elite Diganostic Center Pvt Ltd And Ors

...Respondents.

Mr. S. S. Kulkarni a/w Vrushali Kabare for the Petitioner.

Ms. V. S. Nimbalkar AGP for the Respondent-State.

Respondent No. 1-Director of Company present-in-person.

Coram : Sharmila U. Deshmukh, J.

Date : October 8, 2024.

P. C. :

1. Learned AGP at the outset raises a preliminary objection in view of the alternate remedy which is available against the impugned order.

2. Mr. Kulkarni, learned Counsel appearing for the Petitioner would submit that no opportunity of proper hearing was given to the Petitioners as the impugned order refers to Affidavit-in-rejoinder sent by Email on 3rd September, 2024, to the Registrar. He would submit that the copy of the said Affidavit-in-rejoinder was not served upon the Petitioners.

3. The Director Respondent No. 1 who is present in person submits that the copy of the affidavit-in-rejoinder has been served personally upon the Petitioner.

4. Let an Affidavit-in-reply be filed within a period of 1 week from today, pointing out the service of the affidavit upon the Petitioner.
5. Copy of the Petition is served upon the Director of Respondent No. 1 in the Court today.
6. List the matter along with Civil Writ Petition No. 5379 of 2015, on **15th October, 2024.**

[Sharmila U. Deshmukh, J.]