



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

COMPANY PETITION NO. 19 OF 2014
IN BIFR CASE NO. 19 OF 2008

(Board for Industrial & Financial Reconstruction, New Delhi Vs. M/s Alpha Remedies Ltd.
(ARL))

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

None for the petitioner.
Shri Y.R. Kinkhede, Counsel for the respondent.

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CORAM : ANIL L. PANSARE, J.
JANUARY 19, 2024.

The learned Counsel for the respondent submits that the orders dated 10/12/2013 and 18/3/2014 passed by the Board for Industrial & Financial Reconstruction (BIFR) in case No.19/2008 directing wind-up of the respondent Company - M/s. Alpha Remedies Ltd. (ARL) were challenged before the Appellate Authority for Industrial and Final Reconstruction, New Delhi (AAIFR) in Appeal Nos. 60/2014 and 153/2014. The Appellate Authority noted that the only secured creditor of the Company was Bank of Maharashtra and it has taken action under Section 13(4) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and, therefore, the reference of ARL stands abated and, thus, BIFR and AAIFR lost their jurisdiction. The Appellate Court ordered abatement of reference.

2] The learned Counsel for the respondent submits that nothing survives in the present petition and

could be disposed of as infructuous. A pursis to that effect has been filed across the bar. Copy of orders passed by BIFR and AAIFR have been annexed with the pursis.

3] In view of above, Company Petition No. 19/2014 stands disposed of as does not survive.

(ANIL L. PANSARE, J.)

Sumit