IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 36443 of 2021

Arabinda Mishra **....** ***Petitioner(s)***

Mr. Rakesh Kumar Mallick, Adv.

-versus-

Union of India & Anr. **....** ***Opposite Party(s)***

Mr. B.S. Rayaguru, Sr. P.C.

CORAM:
DR. JUSTICE SANJEEB K PANIGRAHI

Order No. **ORDER**

03. **04.12.2025**

1. This matter is taken up through hybrid arrangement.

2. Heard the parties.

3. It is submitted on behalf of the Petitioners that, in the meantime, the reliefs sought in the present Writ Petition have been rendered infructuous by efflux of time, as the period relevant to the impugned action no longer survives for adjudication.

4. At this juncture, learned counsel for the Union of India has raised the preliminary objection regarding the *maintainability* of the Writ Petition. It is contended that the dispute stems from proceedings arising under the Companies Act, 2013, and therefore the appropriate statutory forum for redressal is the National Company Law Tribunal (NCLT), which exercises exclusive jurisdiction over matters concerning disqualification of Directors and related issues. It is further submitted that under Section

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164 of the Companies Act, 2013, the statutory period of disqualification for a Director is five years, and that period, in the present case, has already lapsed. Consequently, even on merits, the substratum of the Petitioner's grievance does not survive for adjudication and the prayer in the Writ Petition no longer calls for any effective or executable relief.

5. In view of the above submissions and considering that no live issue remains to be adjudicated, this Court is of the opinion that the Writ Petition has been rendered infructuous. No further orders are, therefore, required to be passed in the matter.

6. Accordingly, the Writ Petition stands disposed of as infructuous, leaving the parties to bear their respective costs.

7. Interim order, if any, passed earlier stands vacated.

(Dr. Sanjeeb K Panigrahi)
Judge

Murmu

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