

*IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION*

WRIT PETITION NO.1481 OF 2024

Jayantilal Bhimshi Gangar & Anr. ... Petitioners

Versus

The Registrar, NCLT-Mumbai & Ors. ... Respondents

Mr. Monil Punjabi a/w Mr. Burzin Bharucha, Ms. Jhanavi Shah
and Mr. Kaushal Popat i/b White and Brief Advocates and
Solicitors for the Petitioners

Mr. M. S. Bhardwaj for the Respondent Nos.1 and 16

Ms. Anushree Koparkar i/b SSB Legal and Advisory for the
Respondent Nos. 2, 3, 5 to 13 and 15

*CORAM : REVATI MOHITE DERE &
DR. NEELA GOKHALE, JJ.
WEDNESDAY, 25th JUNE 2025*

P.C :

1 Heard learned counsel for the parties.

2 By this petition, the petitioners seek the following
substantial relief:

"(a) Issue a writ of Mandamus or any other appropriate writ, order or direction under Article 226 of the Constitution of India, 1950, directing the Hon'ble National Company Law Tribunal, Mumbai to hear and expeditiously dispose off the Company Petition No. 403 of 2019 within a period of 6 (six) weeks from the date of the order;

3 It appears that the petitioners had earlier filed Civil Writ Petition bearing No. OS-WP-LD-VC-240-2020 in this Court, and by an order dated 24th August 2020, this Court allowed the said petition. The said order, which is annexed as Exhibit 'G' at page 87, reads as under:

"1. By the above Writ Petition, the Petitioners seek the following reliefs :-

"(a) Issue a writ of mandamus or a writ in the nature of mandamus or any other appropriate writ, order or direction under Article 226 of the Constitution of India directing the Respondent No. 15 to hear and expeditiously dispose off the said Miscellaneous Application along with the said Company Petition within a time bound manner."

2. The Learned Member/s of NCLT is/are requested to endeavour to hear and dispose off the Miscellaneous Application alongwith the Company Petition filed by the Petitioners within a period of eight weeks from today. The above Writ Petition is accordingly disposed off.

3. This order will be digitally signed by the PA/PS of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.”

4 We are informed that although the National Company Law Tribunal (‘NCLT’) has disposed of the Miscellaneous Application Nos.3144/2019 and 807/2020, the Company Petition is still pending. Almost four and a half years have lapsed.

5 Considering that there was already a direction to dispose of the Company Petition within eight weeks from 24th August 2020, we see no impediment in requesting the NCLT to hear and dispose of Company Petition No. 403/2019 as expeditiously as possible and in any event within 12 weeks from the date of receipt of this order. Needless to state that, it is open

for the NCLT to consider disposing of the Company Petition No.403/2019 and Company Petition No.4065/2019 (which is the subject matter of Writ Petition No. 1474/2024, also disposed of by a separate order passed today) together.

6 Needless to state that, all parties, including the petitioners' counsel, assure their cooperation in the expeditious disposal of the said Company Petition.

7 Petition stands disposed of on the aforesaid terms.

8 Stand over to **24th September 2025** for recording compliance.

DR. NEELA GOKHALE, J.

REVATI MOHITE DERE, J.