



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 16073 OF 2026 (GM-RES)

BETWEEN:

1. GULAM MUSTAFA ENTERPRISES PVT LTD.,
A COMPANY INCORPORATED UNDER
THE PROVISION OF THE COMPANIES ACT,
HAVING REGISTERED OFFICE AT:
NO. 6, GM PEARL, I STAGE, I PHASE,
BTM LAYOUT, BENGALURU- 560 068
REPRESENTED BY ITS DIRECTOR AND
AUTHORIZED SIGNATORY
SRI. GULAM MUSTAFA

... PETITIONER

(BY SRI. D.R. RAVISHANKAR, SENIOR ADVOCATE FOR
SRI VIGNESH S. SHETTY, ADVOCATE)

AND:

1. PIRAMAL ENTERPRISES LTD
A COMPANY REGISTERED UNDER
THE COMPANIES ACT 2013,
W/A PIRAMAL ANANTA,
AGASTYA CORPORATE PARK,
OFF, FIRE BRIGADE,
KAMANI JUNCTION, LBS MARG,
KURLA (WEST)
MUMBAI - 400 070
REPRESENTED BY ITS AUTHORISED SIGNATORY

... RESPONDENT

(BY SRI. DHYAN CHINNAPPA, SENIOR ADVOCATE AND
SRI VIKRAM HUILGOL, SENIOR ADVOCATE FOR
SRI VAKITI VINEETH REDDY, ADVOCATE)

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA, PRAYING TO SET ASIDE THE ORDER
DATED 18.02.2026 PASSED BY THE LD. NCLT IN CP (IB) NO. 48/BB/





2023 ON RESTORATION APPLICATION NO. 02 OF 2025 WHICH WAS UPLOADED ON THE NCLT WEBSITE ON 22.05.2026 AT ANNEXURE R AND CONSEQUENTLY DISMISS THE SAID APPLICATION AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The Petitioner is before this Court seeking for the following reliefs:

- a. Set aside the Order dated 18.02.2026 passed by the Ld. NCLT in CP (IB) No.48/BB/2023 on Restoration Application No.02 of 2025 which was uploaded on the NCLT website on 22.05.2026 at **Annexure R** and consequently dismiss the said application.*
- b. Set aside the Order dated 26.05.2026 dismissing the I.A. No.1088 of 2025 passed by the Ld. NCLT in CP (IB) No.48/EBN/2023. The non-upload of the order is evidenced at **Annexure T**.*
- c. Direct the Ld NCLT to hear the I.A. No.1088 of 2026 before proceeding to hear any other application in CP (IB) No.48 of 2023 marked as **Annexure-N**.*
- d. Any Such order/s that this Hon'ble Court may deem fit in the interest of justice and equity.*

2. The grievance of the petitioner is that the order dated 18.02.2026 of the National Company Law Tribunal (NCLT), Bengaluru Branch, had been



uploaded only on 22.05.2026. However, the NCLT continued with the proceedings depriving the petitioner of an opportunity to challenge the said order dated 18.02.2026.

3. His submission is also that an order has been passed by the NCLT on 26.05.2026, dismissing I.A.No.1088/2025 filed by the petitioner in CP(IB).No.48/BB/2023, whose application had been filed, which was uploaded on 04.06.2026.
4. His submission is that on earlier occasion when the order was passed on 18.02.2026 the petitioner continued to wait for the uploading of the order, but this time, even though the order was passed on 26.05.2026, apprehending that the order will be uploaded at a later point of time, the above writ petition had been filed on 27.05.2026 only enclosing the print out of the case status from the NCLT website.



5. The above petition is filed challenging an order passed by the NCLT is not maintainable inasmuch as there is an appellate remedy provided to the NCLAT under Section 14 of the Insolvency and Bankruptcy Code, 2016. The statutory remedy of appeal would have to be availed of by the petitioner rather than approaching this Court by way of a writ petition.
6. However, in the peculiar facts of the case, taking into consideration that the order dated 18.02.2026 was uploaded on 22.05.2026 and the order dated 26.05.2026 was uploaded on 04.06.2026, but still the proceedings before the NCLT continued, depriving the petitioner of the opportunity of availing the appellate remedy immediately, this Court is of the considered opinion that at least now an opportunity would have to be granted to the petitioner to file necessary appeal before the NCLAT.



7. Sri D.R.Ravishankar, learned Senior counsel submits that the said appeal would be filed on or before 03.07.2026.
8. In view of the said submission, the NCLAT is restrained from going ahead with the proceedings till 30.06.2026 subject to the orders passed by the NCLAT.
9. The Petitioner would be entitled to the benefit of Section 14 of the Limitation Act, 1963 for the time spent in prosecuting the above matter.

**Sd/-
(SURAJ GOVINDARAJ)
JUDGE**

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List No.: 2 Sl No.: 3

*Page no 5 is retyped and replaced vide Court Order dated 29.06.2026