[3474]

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE P.SAM KOSHY
AND
THE HONOURABLE SRI JUSTICE NARSING RAO NANDIKONDA

WRIT PETITION (SR) NO: 42367 OF 2026

Between:

RAVINUTALA VENKATA SUBBA RAO, S/o. Late Sri R. Srinadha Rao, Aged about 55 years, Occupation- Advocate, Office at No. F-132, First Floor, Downtown Mall, Lakadikapool, Hyderabad - 500 004.

...PETITIONER

AND

1. THE NATIONAL COMPANY LAW TRIBUNAL, Hyderabad Bench - II, represented by its Registrar, Corporate Bhawan, Bandlaguda, Nagole, Hyderabad - 500 068.

   (Formal party. No relief is claimed against Respondent No. I.)

2. M/s. PRAGATI GREEN MEADOWS AND RESORTS LIMITED, a company incorporated under the Companies Act, having its registered office at Plot No. 1355-A, Road No. 45, Jubilee Hills, Hyderabad - 500 033, represented by its Managing Director

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ of Certiorari, or any other appropriate writ, order or direction, calling for the records in Company Petition 1B/I I 2/9/HDB/2026 on the file of Respondent No. 1 and quashing the order dated 20.07.2026, being cryptic, unreasoned, non speaking, passed without application of mind, contrary to the record. contrary to

Section 9(5) of the Insolvency and Bankruptcy Code, 2016 and the proviso thereto, contrary to Section 424(1) of the Companies Act, 2013, in violation of the principles of natural justice, arbitrary, and violative of Articles 14. 19(1)(g) and 21 of the Constitution of India consequently direct Respondent No. I to restore Company Petition IB/112/9/HDB/2026 to its file, issue notice to Respondent No. 2, afford both parties a full and effective opportunity of hearing, and dispose of the Company Petition afresh on merits, in accordance with law, by a reasoned and speaking order within such time as this Honorable Court may fixfurther declare that no observation, opinion or finding contained in the impugned order dated 20.07.2026 shall bind the Adjudicating Authority upon such fresh consideration or prejudice the Petitioner in any other proceeding.

Counsel for the Petitioner: SRI. CH SRINIVASA RAJU

Counsel for the Respondents: ------

The Court made the following: ORDER

THE HON'BLE THE ACTING CHIEF JUSTICE P.SAM KOSHY
AND
THE HONOURABLE SRI JUSTICE NARSING RAO NANDIKONDA

WP.(SR)No.42367 of 2026
(CNR No.HBHC010587742026)

07.10.2026

Between:
Mr.Ravinutala Venkata Subba Rao

...Petitioner

A N D

The National Company Law Tribunal and another.

...Respondents

ORDER: (*(per the Hon'ble the Acting Chief Justice P.Sam Koshy)*

Heard Mr.Ch.Srinivasa Raju, learned counsel for the petitioner, on the objections raised by the Registry. Perused the record.

2. Considering the second objection raised by the Registry that the petitioner is having statutory remedy, upon hearing the counsel for the petitioner and on perusal of the order under challenge, we are of the considered opinion that the order is one which is appealable one before the appellate Tribunal and the grounds raised in the present writ petition also the grounds which could be assailed before the appellate Tribunal as well.

3. In view of the same, reserving the right of the petitioner to avail the remedy of appeal, this writ petition stands rejected at SR stage. The office objections raised by the Registry stand sustained. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

SD/- P. PROMOD NAIK
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. CH SRINIVASA RAJU, Advocate [OPUC]
2. Two CD Copies

DAN

MS

HIGH COURT

DATED: 07/10/2026

ORDER

WP(SR).No.42367 of 2026



REJECTING THE WRIT PETITION (SR)

