

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
AT CHENNAI

(APPELLATE JURISDICTION)

Company Appeal (AT) (CH) (Ins) No. 134/2024
(IA No. 362/2024)

In the matter of:

M/s Duggi Venkata Srinivasa Rao
V

... Appellant

Balakrishna Venkatachalam,
IRP of Allam Infinite India Pvt. Ltd. & Anr.

... Respondents

Present :

For Appellant	: Mr. E. Om Prakash, Senior Advocate For Ms. R Moneshaa, Advocate
For Respondents	: Mr. Adith Narayan, Advocate for R1 Mr. Vijayaraghavan, Advocate for R2

ORDER

(Hybrid Mode)

25.04.2024:

Prior to institution of the present Company Appeal by putting challenge to the Impugned Order dated of 01.03.2024 as it was passed by the Learned Adjudicating Authority in CP(IB)93/BB/2023. The Appellant as advised had filed a Writ Petition being WP No. 7137/2024, in which appellant had challenged the same Order and at the initial stage, the High Court had granted an Interim Order, but however later on, by the Judgement dated 18.04.2024, the Writ Petition was dismissed as Withdrawn with the liberty left upon for the appellant to approach the Appellate Tribunal and while passing the said Order, the Learned Single Judge of the Hon'ble High Court, had maintained the Interim Order for sometime, which was earlier granted in the Writ Petition.

Consequently, the Instant Company Appeal has been filed. Almost arising from the same issue, a Company Appeal (AT) CH Ins. No. 131/2024 Gulam Mustafa Vs. Balakrishna Venkatachalam and Ors. is already pending consideration, based on the similar circumstances in which there operates an Interim Order as granted on the 26.04.2024.

The Counsel for the Respondent No.2 doesnot dispute the fact that there already operated an Interim Order in the Writ Petition No. 3137/2024, and also in the current connected Company Appeal (AT) (CH) (Ins) No. 131 of 2024 and he also further submits, that there are possibilities of settlement being arrived at between the parties for which they are already venturing for the same. Let Notices be issued to the Respondent No. 1 and the steps to serve the Respondent No. 1 would be taken by the Appellant by Registered post, as well as, through email and by Whatsapp to be supplied by him. This Company Appeal would too carry the similar Interim Order of the like nature as granted on 22.04.2024 in the connected Company Appeal (AT) CH Ins. No. 131/2024. List the matter on **04.06.2024**, under the caption, ‘For Admission (After Notice)’.

[Justice Sharad Kumar Sharma]
Member (Judicial)

[Jatindranath Swain]
Member (Technical)

RO/TM