

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THURSDAY, THE SIXTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY ONE

: **PRESENT:**

**THE HON'BLE THE ACTING CHIEF JUSTICE M.S.RAMACHANDRA RAO
AND
THE HON'BLE SRI JUSTICE T.VINOD KUMAR**

**IA No. 1 OF 2021
IN
WP NO: 22667 OF 2021**

Between:

M/s. CFM Asset Reconstruction Private Limited, Regd. Office at A/3, 5th Floor, Safal Profitaire, Near Prahlad Nagar, Garden Ahmedabad-380015 Rep. by its President, Mr. Pankaj Agnihotri

Petitioner
(Petitioner in WP 22667 OF 2021
on the file of High Court)

AND

1. Unison Hotels Private Limited, Vasant Kunj, Phase-II, Nelson Mandela Marg, New Delhi -110070.
(R-1 is Implead Party in I.A. No. 537 of 2020, but not Showing the C.T Mentioned in order at Para No 12)
2. Viceroy Hotels Limited, Plot No. 20 Sector-1 Survey No. 64, 4th Floor, HUDA Techno Enclave, Madhapur, Hyderabad- 5000081 Represented by Kuruchola Koteswara Rao,
3. The Asset Reconstruction Company(India) Ltd, (ARCIL) The Ruby, 10th Floor, 29, Senapathi Bapat Marg, Dadar(W) Mumbai- 400028

Respondents
(Respondents in-do-)

Counsel for the Petitioner:

**SRI VEDULA SRINIVAS, LEARNED SENIOR
COUNSEL REPRESENTING MS. VEDULA
CHITRALEKHA**

Counsel for the Respondent No. 1:

SRI YOGESH K. JAGIA

Counsel for the Respondent No. 2:

SRI A CHANDRA SHEKAR

Counsel for the Respondent No. 3:

SRI SHABBIR AHMED

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the order of the National Company Law Tribunal, Special Bench, Court-1, Hyderabad in IA No.281/2019 in CP (1B) No.219/7/HDB/2017 dated 01.09.2021, pending disposal WP No. 22667 of 2021, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

"Heard Sri V.Srinivas, learned Senior Counsel appearing for Ms.V.Chitralekha, learned counsel for petitioner, Sri Yogesh K.Jagia, learned counsel for 1st respondent, Sri A.Chandra Sekhar, learned counsel for 2nd respondent and Sri Shabbir Ahmed, learned counsel for 3rd respondent.

***Prima facie* we are of the opinion that the action of National Company Law Tribunal, Special Bench, Court-I, Hyderabad, having held on 06-08-2021 that it**

would reserve orders in I.A.No.281 of 2019 *only* and adjourned the matter (I.A.Nos.537, 564, 565, 621, 931 and 537 in I.A.No.281 of 2019 in CP(IB) No.219/7/HDB/2017) to 17-09-2021, and then proceeding to pass the impugned order on 01-09-2021 not only in respect of I.A.No.281 of 2019, but also in respect of I.A.No.537 of 2020 and 621 of 2020 is not proper. It appears that the parties have not been taken into confidence while doing so.

It is settled principle that 'justice should not only be done, but it must be seen to be done' and since *prima facie* it does not appear so in this case, there shall be interim suspension as prayed for.

List on 23-11-2021."

SD/- K. SHYLESI
Assistant Registrar

//TRUE COPY//

SECTION OFFICER

To,

1. The National Company Law Tribunal, Special Bench, Court-1, Hyderabad
2. Unison Hotels Private Limited, Vasant Kunj, Phase-II, Nelson Mandela Marg, New Delhi -110070.
3. Kuruchola Koteswara Rao, Viceroy Hotels Limited, Plot No. 20 Sector-1 Survey No. 64, 4th Floor, HUDA Techno Enclave, Madhapur, Hyderabad- 5000081
4. The Asset Reconstruction Company(India) Ltd, (ARCIL) The Ruby, 10th Floor, 29, Senapathi Bapat Marg, Dadar(W) Mumbai- 400028
(Addressees 2 to 4 by RPAD)
5. One CC to Ms. Vedula Chitralekha Advocate [OPUC]
6. Two spare copies

HIGH COURT

**HACJ
&
TVKJ**

DATED:16/09/2021

NOTE: POST ON 23.11.2021

ORDER

**I.A. NO. 1 OF 2021
IN
WP.No.22667 of 2021**

INTERIM SUSPENSION

