

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT**

THE HONOURABLE MR.JUSTICE VIJU ABRAHAM

Monday, the 25th day of August 2025 / 3rd Bhadra, 1947

WP(C) NO. 32152 OF 2025(T)

PETITIONER:

**MMS STEEL & POWER PRIVATE LIMITED 17/2D, ONGC ROAD, NARANAMANGALAM
NARIMANAM P.O., NAGORE, NAGAPATNAM DISTRICT, TAMIL NADU –
REPRESENTED BY ITS AUTHORIZED REPRESENTATIVE, PIN - 611002**

RESPONDENTS:

- 1. UNION OF INDIA MINISTRY OF CORPORATE AFFAIRS, SHASTRI BHAWAN, NEW-DELHI – REPRESENTED BY ITS SECRETARY, PIN - 110001**
- 2. MINISTRY OF CORPORATE AFFAIRS CORPORATE BHAWAN, BMC ROAD, THIRKKAKARA, ERNAKULAM, KOCHI REPRESENTED BY REGIONAL DIRECTOR , PIN - 682021**
- 3. REGISTRAR OF COMPANIES CORPORATE BHAWAN, BMC ROAD, THIRKKAKARA, ERNAKULAM KOCHI, PIN - 682021**
- 4. NATIONAL COMPANY LAW TRIBUNAL - KOCHI BENCH COMPANY LAW BHAVAN, BMC ROAD, KUNNUPURAM, THIRKKAKARA, P.O, KAKKANAD, ERNAKULAM KOCHI – REPRESENTED BY ITS DEPUTY REGISTRAR, PIN - 682021**
- 5. NATIONAL COMPANY LAW TRIBUNAL BLOCK NO. 3, GROUND 6TH, 7TH & 8TH FLOOR, C.G.O. COMPLEX, LODHI ROAD, NEW-DELHI – REPRESENTED BY ITS REGISTRAR, PIN - 110003**
- 6. M/S KASARGOD POWER CORPORATION LIMITED 332 BARE VILLAGE, MYLATTI POST, KASARGOD, KERALA –REP. BY ITS RESOLUTION PROFESSIONAL, MR. NETHI MALLIKARJUNA SETTY [IBBI/IPA001/IP-P01251/2018-2019/11958], PIN - 671123**
- 7. NETHI MALLIKARJUNA SETTY [IBBI/IPA001/IP-P01251/2018-2019/11958] FLAT NO. 101, LAUREL RESIDENCY, PANCHAVATI COLONY, MANIKONDA, HYDERABAD, TELANGANA, PIN - 500089**
- 8. JYOTHI THOTAKURI FLAT NO. 14, SRI SAI KRISHNA APARTMENTS, MASAB TANK, HYDERABAD, TELANGANA, PIN - 500028**
- 9. SUDHAKAR KOCHERLA FLAT NO. 14, SRI SAI KRISHNA APARTMENTS, MASAB TANK, HYDERABAD, TELANGANA, PIN - 500028**
- 10. UCO BANK ASSET MANAGEMENT BRANCH 6-3-1108, GROUND FLOOR, NAVABHARATH CHAMBERS, RAJ BHAVAN ROAD, SOMAJIGUDA, HYDERABAD, TELANGANA REPRESENT BY ITS AUTHORIZED OFFICER, PIN - 500082**

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to stay all further proceedings and acts that may be undertaken by the Respondent Nos. 1 to 5 in pursuance of Exhibit P3 order dated 21.08.2025 passed by the National Company Law Tribunal, Kochi Bench in IA (IBC) (Plan)/04/K0B/2025 in CP(IBC)/20/K0B/2023 and in light of the observations made therein pending the disposal of the above Writ Petition.

This petition coming on for admission upon perusing the petition and

the affidavit filed in support of WP(C) and upon hearing the arguments of M/S SANTHOSH MATHEW (SR.) along with ISAAC THOMAS, P.G.CHANDAPILLAI ABRAHAM & JOHN VITHAYATHIL, Advocates for the petitioner and of the DEPUTY SOLICITOR GENERAL OF INDIA for R1 to R3 (By Order) and of SRI.DEEPAK JOY for R10 (By Order), the court passed the following:

ORDER

Admit.

The learned Deputy Solicitor General of India takes notice for respondents 1 to 3. Notice to respondents 4 and 5 dispensed with. Notice to respondents 6 to 9 by speed post. Advocate Deepak Joy takes notice for respondent No.10.

There will be an interim order staying all further proceedings pursuant to Ext.P3 for a period of two months. Post on 19.09.2025.

Sd/- VIJU ABRAHAM JUDGE



APPENDIX OF WP(C) 32152/2025

Exhibit P3

**TRUE COPY OF THE ORDER DATED 21.08.2025 IN IA (IBC)
(PLAN)/4/KOB/2025 IN CP (IBC)/20/KOB/2023**

