

HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD  
(Special Original Jurisdiction)

WEDNESDAY, THE ELEVENTH DAY OF SEPTEMBER  
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE  
AND  
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

WRIT PETITION NO: 25086 OF 2024

Between:

Mr. Jakka Vinod Kumar Reddy, S/o: Late Shri J. Narasimha Reddy, Aged about 52 Years, Occ. Business, Permanent resident of: Plot No. 974, Road No. 49, Jubilee Hills, Hyderabad-500033, Presently residing at: Zerene Village, H.No.63/116, Phuttamonthon Sai-3 Bangkok -10160, Thailand, represented by his Power of Attorney Mr. Jakka Kiran Reddy, Aged about 48 years, S/o: Late Jakka Sridhar Reddy, Residing at Fortune Indira Villa, Villa No. 24, Sarojini Nagar, Guttala Begumpet, Madhapur, Hyderabad 500081, Telangana

...PETITIONER

AND

1. National Company Law Tribunal, Rep, by its Deputy Registrar, Corporate Bhavan ROC, Ground Floor, Bandlaguda, Nagole, Tirumala Residency Colony, R.Krishnaiah Nagar, Hyderabad- 500068, Telangana

...RESPONDENT NO.1

2. Mrs.Sumana Paruchuri, D/o: Mr. Nekkanti Venkata Rao, Aged about 52 years, Occ. Business R/o Plot No. 512-Z, Road No. 29, Jubilee Hills, Hyderabad-500033

...RESPONDENT No.2

3. Mr.Nekkanti.Venkata Rao, S/o: Mr. Venkata Narayana Nekkanti, R/o 33-10-12, Srinivas Rao Street, Sitarampuram, Vijayawada, Andhra Pradesh -520004

...RESPONDENT No.3

4. M/s. Peregrine Aids and Remedies Private Limited, Plot No. 512-Z, Road No. 29, Jubilee Hills, Hyderabad-500033

...RESPONDENT NO.4

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 or order or direction more particularly in the nature of a

Writ of Mandamus by directing the respondent no.1 Tribunal to dispose the matter bearing No-C.P.No-431/241/HDB/2020 within a time frame of 3 months timeline in the interest of principles of natural Justice and equity.

**Counsel for the Petitioner: SRI ABHISHEK KISHORE, REPRESENTING FOR  
MS. AVULA KRISHNAVENI**

**Counsel for the Respondent No.1: SRI A. KRANTI KUMAR REDDY**

**Counsel for the Respondent Nos.2 to 4: K. VIVEK REDDY, REPRESENTING  
FOR SRI MANOJ REDDY KESHIREDDY**

**The Court made the following: ORDER**

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE**

**AND**

**THE HON'BLE SRI JUSTICE J.SREENIVAS RAO**

**WRIT PETITION No.25086 of 2024**

**ORDER:** *(Per the Hon'ble the Chief Justice Alok Aradhe)*

Mr. Abhishek Kishore, learned counsel representing Ms. Avula Krishnaveni, learned counsel for the petitioner.

Mr. A.Kranti Kumar Reddy, learned counsel for respondent No.1.

Mr. K.Vivek Reddy, learned Senior Counsel representing Mr. Manoj Reddy Keshireddy, learned counsel for respondent Nos.2 to 4.

2. Heard on the question of admission.

3. In this writ petition, the petitioner *inter alia* seeks a direction to the National Company Law Tribunal, Hyderabad to dispose of the company petition bearing No.CP No.431/241/HDB/2020 within a period of three months.

4. Facts giving rise to filing of the writ petition briefly stated are that the petitioner had filed a company petition against respondent Nos.2 to 4 namely CP No.431/241/HDB/2020 under Sections 59, 241, 242 and 245 of the Companies Act, 2013 on or about 04.09.2020. The aforesaid company petition was listed for final hearing on 16.03.2024. After the final hearing had commenced, the petitioner submitted a complaint to Hon'ble the Chief Justice of India on 20.05.2023 alleging judicial bias, misbehavior and misconduct on the part of the Member Judicial and Member Technical and Mr. K.B.Kumar, Deputy Registrar of National Company Law Tribunal, Hyderabad. Thereupon the Bench hearing the company petition recused itself for hearing the matter by an order dated 10.07.2024. The company petition thereafter was transferred to the Bench-II.

5. Thereafter, the petitioner has filed this petition on or about 02.09.2024 seeking a direction to decide the company petition within a period of three months.

6. It is trite law that a person invoking the jurisdiction under Article 226 of the Constitution of India must approach the Court with clean hands and should not conceal material facts. It has further been held that there is necessity to save judicial process for becoming abuse to subvert justice. The need to approach the Court with clean hands is all the more necessary as law is not a game of chess (See **Ramjas Foundation v. Union of India**<sup>1</sup>, **Rajkumar Sani v. State of U.P**<sup>2</sup>, **K.D.Sharma v. Steel Authority of India Limited**<sup>3</sup>, **Manoharlal v. Ugrasen**<sup>4</sup>, **Amarsingh v. Union of India**<sup>5</sup> and **Shri. K.Jayaram v. Bangalore Development Authority**<sup>6</sup>).

7. Needless to state that jurisdiction of this Court under Article 226 of the Constitution of India is not only extraordinary but discretionary in nature. The petitioner has not placed on record the copy of order dated 10.07.2024, by which the erstwhile Bench hearing the

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<sup>1</sup> 1993 Supp (2) SCC 20

<sup>2</sup> (2007) 10 SCC 635

<sup>3</sup> (2008)12 SCC 481

<sup>4</sup> (2010) 11 SCC 557

<sup>5</sup> (2011) 7 SCC 69

<sup>6</sup> 2021 SCC Online SC 1194

company petition recused itself from hearing the company petition. The conduct of the petitioner disentitles him to any relief in exercise of extraordinary jurisdiction of this Court, which as stated supra is discretionary in nature.

8. However, it is expected that the Bench hearing the company petition shall make an endeavour to dispose of the company petition expeditiously as the same is pending for past four years.

9. Accordingly, the Writ Petition is disposed of.

Miscellaneous petitions, pending if any, shall stand closed. There shall be no order as to costs.

SD/-N. SRIHARI  
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Deputy Registrar, National Company Law Tribunal, Corporate Bhavan  
ROC, Ground Floor, Bandlaguda, Nagole, Tirumala Residency Colony,  
R.Krishnaiah Nagar, Hyderabad- 500068, Telangana
2. One CC to Ms. Avula Krishnaveni, Advocate [OPUC]
3. One CC to Sri Manoj Reddy Keshireddy, Advocate [OPUC]
4. One CC to Sri A. Kranti Kumar Reddy, Advocate [OPUC]
5. Two CD Copies

TJ  
GJP



**HIGH COURT**

**DATED:11/09/2024**

**ORDER**

**WP.No.25086 of 2024**



**DISPOSING OF THE WRIT PETITION**

**WITHOUT COSTS**

②  
04/12/24  
bx