

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

SATURDAY ,THE TWENTY FIFTH DAY OF OCTOBER

TWO THOUSAND AND TWENTY FIVE

**:PRESENT:
THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY**

WRIT PETITION NO: 32347 OF 2025

Between:

Meera Madhusudhan Singh, D/o Gurinder Madhusudhan Singh,

Petitioner

AND

1. Devvrat Rana, Bankruptcy Trustee in the matter of. Mahendra Kumar Agarwal R/o Apt 684, Sector-A, Block -B and C, Vasant Kunj, New Delhi - 110070
2. Mahendra Kumar Agarwal, 201, Lumbini Lakeview Apartments, Raj Bhavan Road, Somajiguda, Hyderabad - 500082
3. National Company Law Appellate Tribunal, 6th Floor, Ezhilagarn Annex, Chepauk, Chennai – 600005.

(Respondent No.3 is deleted as per C.O. Dt:- 25/10/2025)

Respondents

WHEREAS the Petitioner above named through his Advocate Sri M PRANAV presented this 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 Mandamus declaring the action of the National Company Law Appellate Tribunal (NCLAT) in not hearing the Interlocutory Application No. 1491 of 2025 filed in Company Appeal No. 529 of 2025 by the Petitioner herein, as being arbitrary, illegal, violative of the principles of natural justice, violative of object of the Insolvency and Bankruptcy Code, 2016, and to consequently direct the Hon'ble NCLAT to hear the same.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Mr. Avinash Desai, learned Senior Counsel, appearing for Mr. M.Pranav, counsel for the petitioner. Directed issue of notice to the Respondent No.1 & 2 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. Devvrat Rana, Bankruptcy Trustee in the matter of. Mahendra Kumar Agarwal R/o Apt 684, Sector-A, Block -B and C, Vasant Kunj, New Delhi - 110070
2. Mahendra Kumar Agarwal, 201, Lumbini Lakeview Apartments, Raj Bhavan Road, Somajiguda, Hyderabad - 500082

are directed to show cause on or before to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the E-Auction Proceedings including the operation of the Process Memorandum and any further steps in relation to the auction of the property Flat No. 2A, 8-2-415/1 to 8-2-415/5, Road No.4, Banjara Hills, Hyderabad - 500034, and pass, pending disposal of WP No. 32347 of 2025, on the file of the High Court.

The Court made the following:

ORDER

Issue notice to respondent No.1 and 2.

Learned counsel for the petitioner is permitted to take out personal notice to respondents No.1 and 2 and file proof of service by the next date of hearing.

Heard Mr. Avinash Desai, learned Senior Counsel, appearing for Mr. M.Pranav, learned counsel for the petitioner.

The grievance of the petitioner is that the Company Appeal (AT) (Insolvency) No.529 of 2025 filed by her before the National Company Law Appellate Tribunal at Chennai (NCLAT), challenging the order dated 10.10.2025 passed by the National Company Law Tribunal, Hyderabad Bench-I (NCLT) in I.A. No.170 of 2025 in C.P. (IB) No.389/121/HDB/ 2022, has come up for hearing before the NCLAT on 24.10.2025. The matter was passed over at request of the learned counsel for the petitioner; however, the matter was not taken up for hearing .The petitioner, in fact, sought for interim orders to stop the proposed e-auction of the subject property bearing Flat No.2A, 8-2-415/1 to 8-415/5, Road No.4, Banjara Hills, Hyderabad, scheduled to be conducted on 25.10.2025 i.e. today.

Learned Senior Counsel submitted that the matter was directed to be listed on 27.10.2025. However in the meantime, respondent No.1 is proceeding with the proposed e-auction of the subject property today. It is submitted that the petitioner is deprived of effective legal remedy and despite his application for seeking suspension of the e-auction is pending before the NCLAT, respondent No.1 is proceeding with the auction of the subject property. Learned Senior Counsel relied on the order of the Karnataka High Court in W.P. No.31050 of 2025 dated 14.10.2025 where under similar relief, as sought for in this writ petition, was granted.

In the circumstances, the proposed e-auction to be conducted in respect of the subject property shall not be finalized pending consideration of the interim relief in Company Appeal No.529 of 2025 before the NCLAT.

Respondent No.3 is deleted from the array of parties.

Post on 07.11.2025.

SD/-N.CHANDRA SHEKAR RAO
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. Devvrat Rana, Bankruptcy Trustee in the matter of. Mahendra Kumar Agarwal R/o Apt 684, Sector-A, Block -B and C, Vasant Kunj, New Delhi - 110070
2. Mahendra Kumar Agarwal, 201, Lumbini Lakeview Apartments, Raj Bhavan Road, Somajiguda, Hyderabad - 500082 (by RPAD- along with a copy of petition and affidavit)
3. One CC to SRI. M PRANAV Advocate [OPUC]
4. One spare copy

HIGH COURT

BVRJ

DATED: 25/10/2025

LIST ON: 07.11.2025

NOTICE BEFORE ADMISSION

WP.No.32347 of 2025

DIRECTION

