

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

TUESDAY, THE SEVENTEENTH DAY OF JULY,
TWO THOUSAND AND EIGHTEEN
PRESENT
THE HONOURABLE SRI JUSTICE SANJAY KUMAR

CIVIL REVISION PETITION No. 4077 of 2018

Between:

Ramky Infrastructure Limited, Having its registered office at Ramky Grandiose, 15th Floor,
Sy.No.136/2 & 4, Gachibowli, Hyderabad - 500 032 (Represented by Authorized Signatory Mr.
Y.R. Nagaraja)

Petitioner/Corporate Debtor

AND

Todi Minerals Private Limited, Having its registered office at 12, Darga Road, Park Circus,
Kolkata - 700 017.

Respondent/Operation Creditor

WHEREAS the Petitioner above named through its Advocate Sri. Avinash Desai, presented this Petition under Article 227 of the Constitution of India, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to exercise its supervisory and corrective jurisdiction under Article 227 and set aside the order dated 13.07.2018 in C.P. (IB) No.56/9/11DB/2018 passed by National Company Law Tribunal, Hyderabad, situated at Bandlaguda, Nagole, Ranga Reddy District.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri. S. Niranjan Reddy, Senior Counsel for Sri. Avinash Desai, Advocate for the Petitioner, directed issue of notice to the Respondent herein to show cause as to why this Civil Revision Petition should not be admitted.

You viz:

Todi Minerals Private Limited, Having its registered office at 12, Darga Road, Park Circus,
Kolkata - 700 017.

are directed to show cause on or before 03-08-2018 to which date the case stands posted, as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this Civil Revision Petition should not be admitted.

The Court made the following Order:

Office objection as to the maintainability of this revision under Article 227 of the Constitution is overruled as the National Company Law Tribunal, Hyderabad Bench at Nagole, Ranga Reddy District, is a Tribunal functioning in a territory over which this Court exercises jurisdiction. In terms of the law laid down by the Constitution Bench in L.CHANDRA KUMAR V/s. UNION OF INDIA [(1997) 3 SCC 261], Article 227 of the Constitution forms part of the inviolable structure of the Constitution and the provisions of the Insolvency and Bankruptcy Code, 2016, cannot have the effect of prevailing over the constitutional power of this Court under Article 227.

Office is directed to number the civil revision petition as this was the only objection raised.

Notice before admission.

Personal service by registered post with acknowledgment due permitted.

Post on 03.08.2018.

//TRUE COPY//

Sd/- T.NAGESH BABU
ASSISTANT REGISTRAR

for ASSISTANT REGISTRAR

To

1. Todi Minerals Private Limited, Having its registered office at 12, Darga Road, Park Circus, Kolkata - 700 017. (by RPAD- along with a copy of petition and memorandum of grounds)
2. One CC to Sri. Avinash Desai Advocate (OPUC)
3. One spare copy

KK

*One National Company Law Tribunal, Hyderabad Bench, Hyderabad
situated at Bandlaguda, Nagole, R.R. District*

HIGH COURT

SKJ

DT. 17-07-2018

NOTE: POST ON 03-08-2018

NOTICE BEFORE ADMISSION

CRP.No.4077 of 2018

