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SK
Ct. No. 19
22.09.2020

**C.O. No. 1180 of 2020
CAN 1 of 2020 (Old CAN no. 5530 of 2020)
(Via Video Conference)**

**Sri Arun Kumar Jagatramka
Vs.
Mr. Sumit Binani & Ors.**

Mr. Moti Sagar Tiwari,
Mr. Sailendra Kr. Tiwari ... For the petitioner.

Mr. Arjun Asthana,
Mr. Krishna Raj Thaker,
Mr. Sumit Bihani,
Ms. Ujjaini Chatterjee ... For the opposite parties.

The petitioner is aggrieved by the portion of the order dated August 4, 2020 passed by the National Company Law Tribunal, Kolkata Bench in C.P. No. 182 of 2017, whereby the tribunal has directed the petitioner to show cause as to why rule *Nisi* shall not be issued against them.

Mr. Tiwari, learned senior counsel appearing on behalf of the petitioner submits that NCLT has no jurisdiction to issue such show cause.

The revisional application under Article 227 of the Constitution of India is pre-matured inasmuch as it is always open for the petitioner to challenge the jurisdiction of the NCLT in issuing such show cause notice while answering the show cause as directed.

C.O. 1180 of 2020 is disposed of with the above observation.

The connected urgency application being CAN 1 of 2020 (Old CAN No: 5530 of 2020) is disposed of accordingly.

No order as to costs.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)