

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Civil Appeal No(s). 18767/2017

M/S MEKASTER TELEMATICS LTD.  
THROUGH ITS MANAGING DIRECTOR

Appellant(s)

VERSUS

M.D., PRADESHIYA INDUSTRIAL AND  
INVESTMENT CORPORATION OF U.P. & ORS.

Respondent(s)

Date : 09-02-2023 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN  
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Appellant(s) Mr. Rajesh Srivastava, AOR  
Mr. Gaurav Verma, Adv.  
Mr. Neeraj Datt Gaur, Adv.

For Respondent(s) Mr. Rupesh Kumar, AOR  
Ms. Pankhuri Shrivastava, Adv.  
Ms. Neelam Sharma, Adv.  
Mr. Rajeev Sharma, Adv.

Mr. Tanmaya Agarwal, AOR  
Mr. Wrick Chatterjee, Adv.  
Mrs. Aditi Agarwal, Adv.  
Mr. Himanshu Shekhar, AOR

UPON hearing the counsel the Court made the following

O R D E R

The appeal arises out of an order passed by the High Court of Judicature at Allahabad, dismissing two writ petitions filed by the appellant herein and its Managing Director, challenging the auction sale of the properties of the company in terms of the provisions of the State Financial Corporations Act, 1951.

The short ground on which the auction sale was challenged was that the sale took place after the admission of an application

filed on behalf of the company under Section 15 of the Sick Industrial Companies (Special Provisions) Act, 1985 and that, therefore, it was contrary to Section 22 of the said Act.

It appears that by the time the impugned order was passed, the reference to Board for Industrial and Financial Reconstruction (BIFR) was already closed by an order dated 08.03.2006 and the appellant company has already filed appeal No. 128 of 2006 before the AAIFR.

Learned counsel for the appellant seeks time to verify the fate of the said appeal before the AAIFR. The counsel for the auction purchaser who is the contesting respondent(s) is absent today. Therefore, matter is adjourned by two weeks for the appellant to file a short affidavit regarding the fate of the appeal filed by them before the AAIFR and also the fate of the civil suit filed by them challenging the auction proceedings.

(NITIN TALREJA)  
COURT MASTER (SH)

(RENU BALA GAMBHIR)  
COURT MASTER (NSH)