



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 9<sup>TH</sup> DAY OF JULY, 2025**

**BEFORE**

**THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV**

**WRIT PETITION NO. 24478 OF 2024 (GM-RES)**

**BETWEEN:**

1. MR METHUKU SRINIVAS  
AGED ABOUT 52 YEARS  
(SUSPENDED DIRECTOR OF M/S BOUYANT  
TECHNOLOGY CONSTELLATION PVT LTD)  
HAVING REGISTERED OFFICE AT  
C5, RICH HOMES  
5<sup>TH</sup> FLOOR, RICHMOND ROAD  
BENGALURU - 560 025

... PETITIONER

(BY SRI. M.S. SHYAM SUNDAR, SENIOR ADVOCATE FOR  
SMT. VANDANA P L., ADVOCATE)

**AND:**

1. TOTAL SOLUTIONS INTEC PVT LTD  
REGISTERED OFFICE:  
101, 10<sup>TH</sup> CROSS, 11<sup>TH</sup> MAIN  
HAL II STAGE, INDIRANAGAR  
BENGALURU  
KARNATAKA - 560 008
2. SHAIKH NAFIS ANJUM  
AGED ABOUT NOT KNOWN  
INTERIM RESOLUTION PROFESSIONAL OF  
M/S BOUYANT TECHNOLOGY





CONSTELLATION PVT LTD  
**HAVING OFFICE AT:**  
A-34, LOWER GROUND FLOOR  
VIKAS PURI  
NEW DELHI - 110 018  
EMAIL ID: SN.ANJUM123@ GMAIL.COM

**IMPLEADING RESPONDENTS IN I.A. No.1/2024**

3. GAURAV PATWARI  
S/O OM PRAKASH PATWARI  
AGED ABOUT 47 YEARS  
RESIDING AT  
FLAT NO.A2, 1<sup>ST</sup> FLOOR,  
MANIMA APARTMENT  
NO.15A, 1 3<sup>RD</sup> CROSS  
MARUTHI LAYOUT, DASSARAHALLI MAIN ROAD  
HEBBAL - KEMPAPURA - 560 024.
4. SAMEER AHMED  
AGED ABOUT 45 YEARS  
S/O ASSAMATHA HABIB AHMED  
RESIDING AT  
#12, RS PRIMEROSE APT., G-1,  
KACHARKANAHALLI  
HENNUR MAIN ROAD - 560 084.
5. SREEVATSA R  
S/O MR. RAJAGOPALAN  
AGED ABOUT 50 YEARS  
RESIDING AT  
70/A, SARASWATHI NAGAR  
VIJAYANAGAR - 560 040
6. PARVATI BALCHAND  
AGED ABOUT 44 YEARS



S/O B B SOMANNA A-701  
MANTRI GREENS #1,  
SAMPIGE ROAD  
MALLESHWARAM  
BANGALORE.

**IMPLEADING RESPONDENTS IN I.A. No.2/2024**

7. LIC HOUSING FINANCE LIMITED  
REPRESENTED BY ITS  
AUTHORIZED SIGNATORY  
S. PADMAVATHI  
HAVING REGIONAL OFFICE AT  
NO.137, HMG AMBASSADOR  
9<sup>TH</sup> FLOOR, SOUTH WING  
RESIDENCY ROAD  
BENGALURU - 560 025.

**IMPLEADING RESPONDENTS IN I.A. No.3/2024**

8. MANYATA INFRASTRUCTURE DEVELOPMENTS  
PRIVATE LIMITED  
A COMPANY WITHIN THE MEANING OF  
THE COMPANIES ACT, 2013  
HAVING ITS REGISTERED OFFICE AT:  
NO.9/1, 1<sup>ST</sup> FLOOR, CLASSIC COURT,  
RICHMOND ROAD,  
BENGALURU - 560 025.  
REPRESENTED BY ITS MANAGING DIRECTOR  
MR. REDDY VEERANNA.
9. MANYATA REALLTY  
A REGISTERED PARTNERSHIP FIRM  
HAVING ITS REGISTERED OFFICE AT:  
NO.9/1, 1<sup>ST</sup> FLOOR, CLASSIC COURT,  
RICHMOND ROAD,  
BENGALURU - 560 025.



REPRESENTED BY ITS MANAGING DIRECTOR  
MR. REDDY VEERANNA.

**IMPLEADING RESPONDENTS IN I.A. NO.1/2025**

10. MR. ROBIN GHOSE  
S/O LATE KISHORE GHOSE  
AGED ABOUT 43 YEARS  
RESIDING AT NO.202,  
PEACE HEAVEN APARTMENTS  
LANGFORD ROAD  
RICHMOND TOWN  
BENGALURU - 560 025.
11. MRS. POOJA GHOSE  
W/O MR. ROBIN GHOSE  
AGED ABOUT 45 YEARS  
RESIDING AT NO.202  
PEACE HEAVEN APARTMENTS  
LANGFORD ROAD  
RICHMOND TOWN  
BENGALURU - 560 025.

... RESPONDENTS

(BY SRI. ABHISHEK SRIRAM, ADVOCATE A/W  
SRI ADITH JAHGIRDAR, ADVOCATE FOR R2;  
SRI AJAY PRABHU, ADVOCATE FOR  
IMPELADING RESPONDENTS IN I.A.1/2024;  
SRI ANKITA PAUL, ADVOCATE FOR  
IMPLEADING RESPONDENTS IN I.A. 2/2024;  
SRI VISHWAS N., ADVOCATE FOR  
SRI C.K. NANDAKUMAR, SENIOR ADVOCATE FOR  
IMPELADING RESPONDENTS IN I.A.3/2024;  
SRI G. SRIDHAR, ADVOCATE FOR  
IMPELADING RESPONDENTS IN I.A. 1/2025)



THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DECLARATIONS UNDER THE ARTICLE 227 OF CONSTITUTION OF INDIA DECLARING THE CP-(IB)98(BB)/2024 FILED UNDER SECTION 9 OF IBC BEFORE THE NCLT, BANGALORE IS NOT MAINTAINABLE AND ULTRA-VIRES OF PRINCIPLE OF NATURAL JUSTICE AND EQUITY AND ETC.

THIS PETITION COMING ON FOR PRELIMINARY HEARING THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

**ORAL ORDER**

Petitioner has filed the present writ petition seeking for various reliefs. The alternative relief also relates to the order of restraining respondent No.2 to constitute Committee of Creditors till the final disposal of the appeal filed by the petitioner under Section 61 of the Insolvency and Bankruptcy Code, 2016.

2. Various contentions have been raised. It is noticed that as against the order passed at Annexure-A in C.P.(IB) No.98/BB/2024, petitioner has instituted an appeal before the National Company Law Appellate Tribunal (NCLAT). If that were to be so, all contentions as



raised in the present writ petition are open to be raised in the appeal filed.

3. Noticing that the appeal has already been filed before the NCLAT, it would be appropriate for this Court not to decide on the merits of the matter while relegating the petitioner to avail of the substantive appellate remedy. In light of the petitioner being relegated to the appellate remedy, the interim order passed in the present matter would be in force for a period of two weeks from today leaving it open to the petitioner to make appropriate request before the NCLAT to take a decision regarding the request of the petitioner for interim prayer. All contentions are kept open.

4. Accordingly, petition is ***disposed off***.

In view of disposal of writ petition, all pending applications are disposed off as not calling for any orders.

**Sd/-**  
**(S SUNIL DUTT YADAV)**  
**JUDGE**