

[SC] Constitution of India , Article 226 - ‘error of jurisdiction’ - Discretionary exercise of jurisdiction by the High Courts under Article 226(1) - The expression ‘error of jurisdiction’ in the broad context would include errors of law committed by the Tribunals/administrative authorities within their jurisdiction - However, this would not be relevant when Article 226 of the Constitution is sought to be invoked for bypassing and overlooking the statutory alternative remedy provided by a special statute - The present case is much worse for the respondent had invoked the writ jurisdiction even before raising the aforesaid contention and issue before the Tribunal where the insolvency proceedings are pending - The respondents had acted with impetuosity in approaching the High Court when the contention could be raised and decided by the Tribunal having exclusive jurisdiction - Insolvency and Bankruptcy Code, 2016.

COI Art. 226 , IBC

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