

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

ITEM No. 2
CP. No. 62/224/PB/2022

IN THE MATTER OF:

Union of India, MCA Through Regional Director (Northern Region) Petitioner
Vs	
Carnoustie Management (I) Pvt Ltd & Ors. Respondent

Order under Section 224 (5)

Order delivered on 13.06.2024

CORAM:

JUSTICE RAMALINGAM SUDHAKAR
HON'BLE PRESIDENT

SH. AVINASH K. SRIVASTAVA
HON'BLE MEMBER (TECHNICAL)

HEARING THROUGH HYBRID MODE (PHYSICAL & VC)

PRESENT:

For the Applicant	: Sr. Adv. Anil Kaushik, Adv. Mayank Gautam, Adv. Satya CS Shivam Rastogi, Adv. Rushil Mittal Adv. Rakesh Kr. Singh in IA-326, 333/2022 and 14/2023 Adv. Vatsala Pandey, Adv. Sidhant Pandita in IA-53, 84, 201/2023 Adv. Hitendra Kr. Mahata in IA-340/22, 285/23, 198/24 Charu Sangwan, adv. with Shubham Dayma, adv. for Applicants in CA-311/2022, CA- 312/2022, CA- 313/2022, CA-316/2022, CA- 411/2022, CA- 04/2023, CA-03/2023, IA (CA) 62/2023, IA (CA) 63- 2023, IA(CA) 64-2023, CA-134/2023 Rohit Gupta Advocate with Vikash Kumar in IA (CA) 63 OF 2023 Vivek Tyagi, and Manish Dhir, Advs. in IA(CA)- 180/2023 Mr. Ram Krishna and Mr. Divyam Garg, Advocates in CA 141 of 2023 Ashish Prasad, Pruthvi Dhinoja, Siddharth Sharma, Atri Roy Chowdhury, Advs. in IA 150/2023 and IA 151/2023 Eshaan Saroop for the Applicant in CA 324 of 2023 Kartik Rathi, Advocate in IA(CA) 222 of 2022
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Proxy Counsel - Ahmar Shad in CA-02/2023,
CA-488/2022, CA-487/2022, CA-179/2022,
CA-208/2022
Mr. Anil Kaushik, Sr. Adv. Ms. Satya Jha,
Adv. in CA-10/2023
For the Respondent : Adv. Vibhor Kapoor, Adv. Avani Sharma for R-
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Sandeep Das, Adv., Anandini Kumari, Adv
Adv Ashutosh Kumar Srivastava, Adv Kunal
Veer Chopra
For UoI : Ms. Nidhi Mittal, Proxy Counsel on behalf of
Mr. Apoorv Kurup

ORDER

CP. No. 62/224/PB/2022

Ms. Nidhi Mittal Proxy Counsel for UoI appeared through VC and tendered her apology on behalf of UoI for seeking adjournment on the ground that Mr. Chetan Sharma, Ld. ASG is not available today. Her apology is graciously accepted by the other counsels. At request and by consent, list the matter on **04.07.2024 alongwith all the pending IAs as first item.**

In the meantime, Ld. Counsel for the UoI is directed to prepare and file brief argument notes and IA wise chart before the next date of hearing. It is also directed to counsel of UOI to file reply/response to all the pending IAs/CAs and serve a copy to the opposite counsel.

CA-458/2022, CA-459/2022, CA-460/2022

Heard Mr. Ashutosh K. Srivastava, Ld. Counsel for the Applicants appearing through VC. Ms. Nidhi Mittal Proxy Counsel for UoI appeared through VC and seeks adjournment. At her request, list the matter on **04.07.2024.**

IA(CA)-326/2022, IA(CA)-333/2022, IA(CA)-14/2023

Ld. Counsel appearing through VC seeks and is granted time to file rejoinder to the reply. At request and by consent, list the matter on **04.07.2024.**

IA(CA)-340/2022

Ld. Counsel for the Applicant appeared before us and stated that the proof of the expenditure being incurred for the treatment of Cancer of the Applicant were filed in IA(CA)-203/2024 which was disposed of vide order dated 06.06.2024. Accordingly, the copy of IA(CA)-203/2024 be placed with IA(CA)-340/2022 on **04.07.2024.**

IA(CA)-285/2023

Ld. Counsel for the Applicant appeared before us and prayed that necessary directions be issued for renewal of the RIC-Term Deposits and RDs, as mentioned in Tabular form in para no. 4 of the application on its due date from time to time, which has been frozen by the Axis Bank and denied for renewal in view of the order dated 21.04.2022 of this Hon'ble Tribunal and vide letter No. (RD(NR)/CARNOUSTIE-CMPL/2022) dated 20.10.2022, till the disposal.

We have heard the Ld. Counsel appearing for the Applicant. In view of the submissions made by the Ld. Counsel for the Applicant, we direct the Axis Bank to renew the FDRs. However, it is made clear that the Applicant will not be permitted to withdraw the said FDRs till further orders.

IA(CA)-285/2023 stands disposed of accordingly.

In the meanwhile, let the pleadings in all pending CAs, IAs be completed by all the counsels before the Next date of hearing for effective adjudication of the matter.

**-Sd/-
(RAMALINGAM SUDHAKAR)
PRESIDENT**

**-Sd/-
(AVINASH K. SRIVASTAVA)
MEMBER (TECHNICAL)**

13.06.2024
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