

NATIONAL COMPANY LAW TRIBUNAL

COURT-I, MUMBAI
SPECIAL BENCH

Item 2

CA 345/2021 CA 294/2021 CA 2/2022 CA 137/2022 CA 224/2022 In
CP/3638(MB)2018

CORAM:

SH. SHYAM BABU GAUTAM
HON'BLE MEMBER (T)

JUSTICE P.S.N PRASAD (Retd.)
HON'BLE MEMBER (J)

ORDER SHEET OF THE HEARING ON **03.10.2022**

NAME OF THE PARTIES:

Union of India
V/s
Infrastructure Leasing &
Financial Services Ltd.

Appearance (via video-conference):

For the Applicant : Mr. Aditya Sikka a/w Ms. Vasudha Vijaysheel

Rule 11 of NCLT, 241- 242

ORDER

The matter is posted for pronouncement. However, the Hon'ble Member Judicial is on leave today and this being the Special Bench; hence, the matter is deferred for pronouncement to **11.10.2022**.

Sd/-

SHYAM BABU GAUTAM
Member (Technical)

Akash Srivastava

Sd/-

JUSTICE P.S.N PRASAD
Member (Judicial)

NATIONAL COMPANY LAW TRIBUNAL
COURT-I, MUMBAI
SPECIAL BENCH

Item 8

CA 509/2022 CA 515/2022 In CP/3638(MB)2018

CORAM:

SH. SHYAM BABU GAUTAM
HON'BLE MEMBER (T)

JUSTICE P.S.N PRASAD (Retd.)
HON'BLE MEMBER (J)

ORDER SHEET OF THE HEARING ON **03.10.2022**

NAME OF THE PARTIES: **Union of India**
 V/s
 Infrastructure Leasing & Financial Services
 Ltd & Ors

Appearance (via video-conference):

For the Petitioner : Mr. Aditya Sikka a/w Ms. Vasudha Vijaysheel
For the Applicant CA515 : Mr. Ashish Kamat along with Ms. Drishti Das
 and Aniruddh Gambhir
For the Applicant CA509 : Ms. Drishti Das a/w Ms. Roma Bhojani

Rule 11 of NCLT, 241- 242

ORDER

CA 509/2022:-

This is an application filed under Sections 241, 242 (1) read with 242 (2) (k) of the Companies Act, 2013 along with Rule 11 of the NCLT Rules, 2016 seeking appointment of Directors on the Board of the respondent. The Applicant in this present Application is the Union of India through the Regional Director (Western Region), Ministry of Corporate Affairs, Mumbai. The present application is being filed seeking appointment of following persons as Directors of the Board of the Respondent; (i) Mr. G. Mahalingam, and (ii) Mr. Deepak Mohanty. The counsel for the Applicant has confirmed that their willingness to act as Directors have been obtained since their willingness is not enclosed with this present application. In case, their willingness to act as Directors is not obtained earlier,

the counsel is directed to instruct his client and to obtain clear willingness from both the persons to act as Directors. Their Directorship will be terminated prior to the notice as per law. The immunities, privileges and powers and actions done in good faith which were subjected to certain protections vide order dated 05.10.2018 and 09.10.2018 stands extended to these two persons also. The counsel has also confirmed that his client conducted the required due diligence before proposing the names of these two Directors to be appointed on the Board of Respondent Company by this Tribunal and all other formalities have also been complied. Counsel for the respondent is present and submitted that they have no objection for appointment of additional Directors on the existing Board. Hence, the present application is allowed, a copy of this order may be served on the newly appointed Directors in furtherance of the agreement of consent to act as Directors on the Board of Infrastructure Leasing & Financial Services Limited (**IL&FS**), respondent in the matter. The present application is allowed and disposed of.

CA 515/2022: -

Heard the submissions made by the Counsel for the Applicant. This is a proposal regarding closure of an existing Company which comes under Infrastructure Leasing & Financial Services Limited (**IL&FS**), therefore, let this matter be placed before the regular Bench. List matter on Board on **18.10.2022**.

Sd/-

SHYAM BABU GAUTAM
Member (Technical)
Akash Srivastava

Sd/-

JUSTICE P.S.N PRASAD
Member (Judicial)