

NATIONAL COMPANY LAW TRIBUNAL, MUMBAI BENCH
COURT -I

1. CA 177/2023
CA 178/2023
CA 179/2023
CA 180/2023
CA 185/2023
IN
CP/3638(MB)2018

CORAM: SHRI H.V. SUBBA RAO, MEMBER (J)
MS. ANU JAGMOHAN SINGH, MEMBER (T)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL
COMPANY LAW TRIBUNAL ON **02.05.2023**

NAME OF THE PARTIES: Union of India

VS

Infrastructure Leasing and Financial Services Ltd. & Ors.

SECTION 7 OF INSOLVENCY AND BANKRUPTCY CODE, 2016

ORDER

Mr. Kuber Dewan a/w Ms. Neeharika Aggarwal appearing for the Applicant in CA No. 185/2023. Ms. Drishti Das a/w Ms. Roma Bhojani i/b Cyril Amarchand Mangaldas for the Applicant in CA 177 of 2023, CA 178 of 2023, CA 179 of 2023 and CA 180 of 2023. Mr. Janak Dwarkadas, Senior Advocate, Mr. Sherna Doongaji, Rishika Harish for Cube Highways and Infrastructure II Pte. Ltd. (CA 178 of 2023) I/b AZB & Partners are present through virtual hearing.

C.A. 177/2023

The above application is filed by the applicant seeking direction for urgent hearing of various applications filed by them. Since the request was already

complied by the registry, the above application becomes **infructuous and disposed of** accordingly.

C.A. 179/2023

Counsel appearing for the Respondent requested time to file reply. Request is considered. Respondent shall file reply by serving an advance copy on the other side within 2 weeks failing which the Respondent's right to file reply shall stand forfeited.

C.A. 180/2023

The above application is filed by the applicant seeking urgent listing of Company Application No. 640 of 2022.

Since the next listing date is less than two weeks and Members are holding additional charge, the above I.A. 180/2023 **is rejected**.

C.A. 185/2023

Counsel appearing for the Respondent/Union of India seeking time to file reply in the above application.

Respondent/Union of India shall file reply by serving an advance copy on the other side within two weeks.

C.A. 178/2023

The above application is filed by the Infrastructure Leasing and Financial Services Ltd. & Ors. seeking following reliefs:

- A. *Urgently list Company Application 16 of 2016 along with Interlocutory Application No. 15 of 2021 and Interlocutory*

Application No. 61 of 2022 (both filed in the Company Application No. 16 of 2021) 'high on board' on the earliest date as may be convenient to this Hon'ble Tribunal.

B. Urgently list company application 640 of 2022 on the earliest date as may be convenient to this Hon'ble Tribunal.

Mr. Janak Dwarika Das, Senior counsel appearing for the Cube Highways and Infrastructure II Pte. Ltd opposed for early listing of the above matter from 2nd June contending that the other side did not oppose for listing of the above matter to 2nd June, 2023 on the earlier occasion and all of sudden filed present application for urgent listing which is not acceptable to him as he has already pre-fix tour programme for summer vacation. At this stage, both the parties requested this bench to pass over the matter that they will resolve the issue and come back with a specific date which is acceptable to both parties. Thereafter, both parties by consent requested to list this mater on 15.06.2023. Accordingly, the above I.A. is **rejected** directing the registry to list C.A. 16 of 2016 along with I.A. No. 15 of 2021, I.A. No. 61 of 2022 and C.A. 640/2022 on **15.06.2023**.

List this matter along with other pending applications on **11.05.2023**.

Sd/-
ANU JAGMOHAN SINGH
Member (Technical)

Sd/-
H.V. SUBBA RAO
Member (Judicial)