

NATIONAL COMPANY LAW TRIBUNAL
COURT ROOM NO. 1,
MUMBAI BENCH

Item No. 10

CA 434/2023

CA 436/2023

MA 3002/2019

MA 3009/2019

CA 93/2021

CA 212/2021

CA 127/2022

IA 25/2023

CA 212/2023

IN

CP/3638(MB)2018

CORAM:

SH. PRABHAT KUMAR JUSTICE VIRENDRASINGH BISHT (Retd.)
HON'BLE MEMBER (TECHNICAL) HON'BLE MEMBER (JUDICIAL)

ORDER SHEET OF THE HEARING ON 12.10.2023

NAME OF THE PARTIES: UNION OF INDIA

VS

**INFRASTRUCTURE LEASING AND
FINANCIAL SERVICES LTD. & ORS.**

Section 241-242 OF THE COMPANIES ACT, 2013

ORDER

1. Mr. Ahsan Allana, Ld. Counsel for Applicant in C.A. 436/2023. Mr. Tamanna Meghrajani, Ld. Counsel for Applicant in C.A. 436/2023 present. Mr. M.S. Bhardwaj, Ld. Counsel for Respondent SFIO. Mr. Shwetank Niman, Ld. Counsel for CMA Agency. Ms. Drishti Das a.w Ms. Roma Bhojani, Ld. Counsel for Respondent in CA 127/2023. Mr. Gaurav Jaiswal, Ld. Counsel for Union of India. Mr. Tushar Wagh, Deputy

Director, Office of RD. Mr. Rahul Chavy i/b Law Point, Ld. Counsel for Applicant IFCI in 127/2023. Mr. Devesh Junekar @ Ms. Kavita Bird Chavan, Ms. Unnati Vijay, Ld. Counsel for Respondent No.3 in CA 212/2023.

CA 436/2023

Ld. Counsel for the Applicant submits that connected petitions are ordered to be listed on 07.11.2023

List this matter on 07.11.2023.

CA 434/2023

CMA agency is directed to file reply before the next date of hearing after duly serving the copy to the other side.

List this matter 07.11.2023

MA 3002/2019

This is an application seeking permission to pay the income tax liability outstanding against the Applicant. Last opportunity is granted to the Union to represent their case, failing which the matter be heard and decided on the basis on material available on record.

List this matter on 17.10.2023.

CA 212/2023

This is an application filed by the Union seeking certain documents to evidence the outstanding demand alongwith some other documents. Ld. Counsel for the Respondent submits that they have e-filed the reply.

List this matter on 17.10.2023.

MA 3009/2019

This application appears to wrongly on board.

CA 93/2021

This is an application seeking modification of order to permit the Applicant to withdraw Rs.2.00 Lach per month. Similar applications are ordered to list on 17.10.2023

List this matter on 17.10.2023.

CA 127/2022

This is application filed by the dissenting financial creditors seeking priority of payment over the assenting financial creditors in accordance with the Act. However, the Resolution framework approved by Hon'ble NCLAT does not differentiate between the assenting and dissenting financial creditors as to the time of the payment. The Respondent No. 1 & 3 have not filed their reply till date. The Respondent No. 1 & 3 are directed to file their reply within two weeks after duly serving the copy to the other side, failing which the matter will be decided on the basis of material available on record.

The Respondent No.2 have filed their reply and Respondent No.2 seeks exemption from appearance as no allegations are made against them. In view of this, they are exempted from their personal appearance and they plead that their submissions may be recorded from their reply. It is clarified that the Respondent No. 2 shall appear, whenever this Bench specifically asks them to appear to assist in disposal of this Application.

List this matter on **28.11.2023**.

IA 25/2023

Ld. Counsel for the Applicant seeks another one week's time to amend the cause title. Time granted. In the meanwhile, Ld. Counsel for the existing Respondent may take up with the registry for modifying the email details so as to receive the security code. The Registry is directed to expedite the matter.

List this matter on 07.11.2023.

CA 212/2021

This application pertains to CP 115/2021, it has wrongly been mapped. The Registry is directed to modify the mapping, and place this application under relevant company petition for further consideration.

There are three other applications i.e. CA 136/2022, CA 632/2022 & CA 8/2023 pertaining to claims and similar matters are posted on 07.11.2023. Accordingly, list CA 136/2022, CA 632/2022 & CA 8/2023 also on that day.

Sd/-

PRABHAT KUMAR
MEMBER (TECHNICAL)

/NP/

Sd/-

JUSTICE VIRENDRASINGH BISHT
MEMBER (JUDICIAL)