

NATIONAL COMPANY LAW TRIBUNAL

COURT ROOM NO. 1,

MUMBAI BENCH

Item No. 73

IVNP - 06/2023 CA 459/2022 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 21.11.2023

**NAME OF THE PARTIES: UNION OF INDIA V/s INFRASTRUCTURE
LEASING AND FINANCIAL SERVICES
LTD. & ORS.**

Section 241-242 of the Companies Act, 2013 and Rule 11

ORDER

CA 459/2022

- 1) None present for the Applicant when the matter is called out. Mr. Animesh Bisht, Ld. Counsel for the Respondent is present.
- 2) Counsel for the Respondent informed that they have got limited access to the premises, which is said to be vacated by the Applicant; however, IL&FS

is also considering to vacate the premises after having control thereof and retrieval the Record; hence, seeks some time and prays that the matter be posted in the month of January, 2024.

- 3) Stand over to 02.01.2024, for further consideration and hearing.

IVNP - 06/2023

- 1) Mr. Kunal Kanungo, Ld. Counsel for the Petitioner and Mr. Animesh Bisht, Ld. Counsel for the Respondent are present.
- 2) The present Intervention Petition has been filed by Maharashtra Metro Rail Corporation Limited for settlement of disputes between M/s IL&FS Engineering and Construction Company Ltd and the Petitioner herein upon certain terms of agreement.
- 3) However, Ld. Counsel for the Respondent submits that this Tribunal is not the appropriate forum to deal with such kind of prayers made in the present Petition in terms of Resolution Framework approved by Hon'ble NCLAT. In that view of the matter, this Bench deems it fit and appropriate to dispose of the present Petition with liberty to file Fresh Application before the appropriate forum. The Petitioner does not have any objection to such dismissal and may file appropriate application before Hon'ble NCLAT or any other competent forum in this relation basis this Bench's observation.
- 4) In that view of the matter, the present Intervention Petition bearing No. 06 of 2023, is disposed of as not pressed as allowed to be withdrawn with liberty

to the Petitioner to file Fresh Application before the Appropriate Forum for their reliefs.

5) File be consigned to record. There would however be no order as to costs.

Ordered Accordingly.

Sd/-

**PRABHAT KUMAR
MEMBER (TECHNICAL)**

Sd/-

**JUSTICE VIRENDRASINGH BISHT
MEMBER (JUDICIAL)**

Vedant Kedare