

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

Item No. 41

MA 2070/2019 MA 2071/2019 CA 361/2021 CA 362/2021 CA 364/2021 CA 427/2021 CA 121/2022 CA 51/2022 CA 97/2022 CA 102/2022 CA 118/2022 CA 119/2022 IA 1/2022 IA 2/2023 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 **15.01.2024**

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

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

ORDER

MA 2070/2019 MA 2071/2019 CA 361/2021 CA 362/2021 CA 364/2021 CA 427/2021 CA 121/2022 CA 51/2022 CA 97/2022 CA 102/2022 CA 118/2022 CA 119/2022 IA 1/2022 IA 2/2023 CA 212/2023 in CP/3638(MB)2018

- 1) Mr. Aditya Sikka, Ld. Counsel for the Union of India, Mr. Navroz Seervai, Ld. Sr. Advocate for Respondent No. 325 (MA 2070/2019), Mr. Darius Khambatta, Ld. Sr. Advocate for Respondent No. 327 (IA 1 of 2022 & IA 21 of 2022), Mr. Janak Dwarkadas, Ld. Sr. Advocate for Respondent No. 326 (MA 2070 of 2019 and CA 364/2022), Mr. Robin, Ld. Counsel for

Respondent No. 323, 324, 337, 338, 339 & 341 and Applicant (CAs, 361, 362/2022 & CAs 97, 102, 118 & 119/2022) and Ms. Somya Srinivasan, Ld. Counsel for Respondent Nos. 328, 329 and 335 are present.

- 2) Sr. Advocates for Respondents submit that Affidavit in Rejoinder filed by the Union of India has been served upon them last week and they could not get sufficient time to file sur-Rejoinder by way of an Affidavit as New facts has been brought on record, for which purpose leave was already granted.
- 3) Further one Counsel for Respondents Mr. Robin, submits that he has not yet been served with an Affidavit which is filed by the Union of India last week. Ld. Counsel for the Union of India undertakes to make it available to them a copy of the Rejoinder in a couple of days; though he thinks that the same has already been served.
- 4) Thus, Sr. Advocates for Respondents jointly seek adjournment in the matter to file and place on record sur-Rejoinder by way of an Affidavit. However, Ld. Counsel for the Union of India vehemently opposes to grant further time to Respondents, contending that he has instructions to go on with the matter, and thus, prays that the matter be taken up today.
- 5) However, we note that the Rejoinder has been filed in the matter and new facts has also been brought on record; hence, in the interest of justice, this Bench deems it fit and appropriate to grant one more opportunity to Respondents to file and place on record sur-Rejoinder by way of an Affidavit.

- 6) The matter will be taken up on day to day basis starting from 07.02.2024 to 09.02.2024, for further consideration and hearing.
- 7) This will be treated as last opportunity. No further adjournment will be afforded to either of the Parties for any purpose.
- 8) Parties are directed to complete and exchange the pleadings well before the adjourned date and be ready for argument on the next date of hearing.

Sd/-

**PRABHAT KUMAR
MEMBER (TECHNICAL)**

Sd/-

**JUSTICE VIRENDRASINGH BISHT
MEMBER (JUDICIAL)**

Vedant Kedare