

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

Item No. 40

MA 3002/2019 IVN.P 05/2023 IA 31/2023 CA 220/2024 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 **13.08.2024**

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

Section 241-242 of the Companies Act, 2013

ORDER

MA 3002/2019 in CP/3638(MB)2018

- 1) **First Call** : Mr. Siddharth Joshi, Ld. Counsel for the Applicant and Ms. Onshi Jakhar, Ld. Counsel for the Union of India are present. Ld. Counsel for the Union of India seeks short Passover in the matter contending that the Arguing Counsel is help up before the Hon'ble High Court. At request, the matter is kept back and will be called out at the end of the Board.
- 2) **Second Call:** Mr. Siddharth Joshi, Ld. Counsel for the Applicant and Mr. Aditya Sikka, Ld. Counsel for the Union of India are present.
- 3) Ld. Counsel for the Union of India submits that an Additional Affidavit has been filed by the Applicant, wherein some prayers have been sought. However, the Bench could not lay hands on the said Additional Affidavit stated to have been filed by the Applicant.

- 4) In that view of the matter, Applicant is directed to place on record the said Additional Affidavit, for the convenience of the Bench.
- 5) Stand over to 30.08.2024, for further consideration and hearing.

IVN.P 05/2023, IA 31/2023 in CP/3638(MB)2018

- 1) Mr. Shyam Kapadia, Ld. Counsel for the Applicant and Mr. Animesh Bisht, Ld. Counsel for the IL&FS are present.
- 2) Ld. Counsel for the Applicants seeks withdrawal of the present Applications after having intervened in the Application of the IL&FS, seeking modification of the Resolution Process, filed before the Hon'ble National Company Law Appellate Tribunal, and the same is still *sub judice* before the Hon'ble Appellate Tribunal.
- 3) In that view of the matter, the Intervention Petition bearing No. 05 of 2023 and the Interlocutory Application bearing IA No. 31 of 2023, disposed of as allowed to be withdrawn as not pressed.
- 4) However, it is made clear that the disposal of those Applications shall not fetter the rights of the Applicants herein to raise their issue/grievance and Applicants shall not be prejudiced for taking any further legal remedy before any appropriate forum at the appropriate stage.

CA 220/2024 in CP/3638(MB)2018

- 1) Mr. M.S. Bharadwaj, Ld. Counsel for the Applicant and Mr. Pulkit Sharma, Ld. Counsel for the Respondent (in IA 396) are present.

2) Counsel for the Applicant submits that an Amendment Application seeking amendment in IA 396 is yet to be numbered and the present Company Application is also connected to the said Amendment Applications, thus, prays for an adjournment.

3) Stand over to 06.09.2024, for further consideration and hearing.

Sd/-

**PRABHAT KUMAR
MEMBER (TECHNICAL)**

Vedant Kedare

Sd/-

**JUSTICE VIRENDRASINGH BISHT
MEMBER (JUDICIAL)**