

NATIONAL COMPANY LAW TRIBUNAL  
COURT-V, MUMBAI BENCH

18. IA/2042/2023 IA/3187/2023  
IA/3272/2023 IA/3273/2023 C.P. (IB)/115(MB)2021

CORAM:

MS. REETA KOHLI,  
MEMBER (J)

MS. MADHU SINHA,  
MEMBER (T)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON **21.08.2023**.

NAME OF THE PARTIES: Axis Bank Limited  
Vs.  
MAHARASHTRA THEATRES PRIVATE LIMITED

SECTION: 7 of IBC 2016

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**ORDER**

**IA 2042 of 2023**- The Counsel for the Applicant seeks permission to withdraw the IA in view of the fact that IA 3273 of 2023 has been filed. Permission granted. Accordingly, the above IA 2042 of 2023 is **disposed of** as withdrawn.

**IA 3187 of 2023**- The above Interlocutory Application is filed under Section 22(3) of the Insolvency and Bankruptcy Code, 2016 seeking appointment of Mr. Shailesh Bhalchandran Desai, the present Interim Resolution Professional of the Corporate Debtor to act as a Resolution Professional of the Corporate Debtor.

Learned Counsel appearing for the Applicant submits that the Committee of Creditor in its 2<sup>nd</sup> CoC meeting unanimously approved the appointment of Mr. Shailesh Bhalchandran Desai having Registration No. IBBI/IPA-001/IP-P00183/2017-2018/10362 as Resolution Professional with 68.66% voting share.

After hearing the submissions of the counsel appearing for the Applicant, this Bench feels that this is fit case to allow the above Interlocutory Application.

Accordingly, the present Interlocutory Application bearing No. 3187 of 2023 stands **disposed of**.

**IA 3272 of 2023-** Senior Counsel Mustafa doctor a/w Pulkit Sharma i/b Aniruth Purusothaman for the Applicant is present. The Counsel for the Suspended Director seeks time to file reply within two weeks. Permission granted.

**IA 3273 of 2023-**

**Issue Notice:** The Applicant is directed to serve notice to the Respondent. The Applicant undertakes to file service affidavit along with copy of notice sent to the Respondent, original postal receipt, track report, E-mail, etc. days before the next date of hearing. The hard copies too be placed on record.

The Registry is also directed to serve notice to the Respondent and to submit service report along with notice copy sent to Corporate Debtor, postal receipt, track report/acknowledgement. List the above IA along with other IAs in CP 115 of 2021 on **12.09.2023**.

Sd/-  
MADHU SINHA  
Member(Technical)

Sd/-  
REETA KOHLI  
Member(Judicial)

/z/