

IN THE NATIONAL COMPANY LAW TRIBUNAL, AHMEDABAD
SPECIAL BENCH
COURT - 2

ITEM No201
Comp.App. 33 of 2021
In
CP(CAA) 39 of 2021
In
CA(CAA) 80 of 2020

Order under Section 230-232 Co.Act, 2013

IN THE MATTER OF:

Arcelor Mittal India Pvt Ltd
AM Associates India Pvt Ltd
Arcelor Mittal Nippon Steel India Ltd

.....Applicant

.....Respondent

Order delivered on ..28/03/2022

Coram:

Dr.Deepti Mukesh, Hon'ble Member(J)
Kaushalendra Kumar Singh, Hon'ble Member(T)

PRESENT:

For the Applicant : Mr. Saurabh Soparkar, Sr. Adv. a.w Mr. Apurva Vakilm
Amita Katragadda, Kausabh Rai, Advocates for Mr. Mit
S. Thakkar.
For the Respondent No.1 : Mr. Arun Kathpalia, Sr. Adv. a.w Mr. Ashim Sood, Mr.
Nachiket Dave and Mr. Senu Nizar, Advocates.
For the Respondent No.2 : Sr. Adv. Dr. Abhishek Singhvi with Sr. Adv. Mr. Navin
Pahwa and Sr. Adv. Mr. Mihir Thakore & Mr. Nirag
Pathak, Adv.
For RD : Mr. Sanjeev Kumar Jain, Assistant Director
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ORDER

Comp.App.33 of 2021

Heard Learned Sr. Counsel Dr. Abhishek Singhvi on behalf of respondent no.2 Company. Heard Learned Sr. Counsel Mr. Soparkar for the applicant. During the hearing, it fell from the Bench that affidavit from Chairperson alongwith affidavit of the auditors, who had drawn the list of unsecured creditors of Arcelor Mittal Nippon Steel India Ltd. as on 08.09.2020, be filed to the effect that the balances shown against each of the creditors in the said certified list of unsecured creditors are exactly the same amounts as appearing in the books of accounts as on 08.09.2020

which were to be adopted for the voting purpose in pursuance of the directions contained at para 28 of the order dated 28.04.2021 passed by this Bench. It is also felt that a clarification be given as regard to the amount of debt to the EBTL and EBTPL shown in the said certified list if that differs with the amount appearing in the books of account as on 08.09.2020. Moreover, complete ledger account of these two creditors EBTL & EBTPL for the Financial Year 2020-21 also to be filed for perusal of the Bench. Let these all be complied within 10 days. Let copy of this order be served to the certifying auditors M/s. DMKH & Co. (Chartered Accountant) Gandhinagar. Learned Counsel for respondent no.1 Chairperson is directed to serve copy of this order through email to the auditors mentioned above within two days. Copies of the affidavits be served to the applicant and respondent no.2. Auditors to file their affidavit within 10 days after receiving the intimation from the Learned Counsel for respondent no.1.

List for concluding the hearing at 2.30 p.m on 18.04.2022.

-Sd-

**KAUSHALENDRA KUMAR SINGH
MEMBER (TECHNICAL)**

-Sd-

**DR. DEEPTI MUKESH
MEMBER (JUDICIAL)**