

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

Item No. 39

CA 396/2021 CA 355/2023 CA 117/2023 CA 640/2022 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 01.04.2024

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

CA 396/2021 CA 355/2023 CA 117/2023 CA 640/2022 in CP/3638(MB)2018

- 1) Mr. M.S. Bharadwaj, Ld. Counsel for the Union of India, Mr. Ruturaj Bankar, Ld. Counsel for the Applicant (in CA 355 of 2023), Ms. Samrudhi Chothani, Ld. Counsel for the Respondent No. 9 (in CA 396 of 2021), Mr. Navroz Seervai, Ld. Sr. Advocate for Respondent Nos. 31 & 32, Mr. Hamza Lakhani, Ld. Counsel for the Respondent No. 18 (in CA 396 of 2021) Mr. Kavisha Shah, Ld. Counsel for the Respondent No. 13 (in CA 396 of 2021), Mr. Animesh Bisht, Ld. Counsel for the Respondent (in CA 640 of 2022), Ms. Kavita Chavhan, Ld. Counsel for the Respondent No. 3 (in CA 396 of 2021), Mr. Janak Dwarkadas, Ld. Sr. Advocate for the Respondent No. 27

(in CA 396 of 2021) and Mr. Kaustubh, Ld. Counsel for the Respondent (ISSL – in CA 117 of 2023) are present.

- 2) Ld. Counsel for the Respondents pray for an adjournment in the present matter contending that the amended Application, seeking certain reliefs against Auditors, has been served upon them yesterday; thus, seeks some time to peruse the same and to file and place on record Affidavit in Replies. Time is allowed.
- 3) Affidavit in Replies be filed and placed on record well before the adjourned date thereby duly serving copies thereof to the other side well in advance.
- 4) By consent, stand over to 24.04.2024, for further consideration and hearing.
- 5) Later on, Ld. Counsel for the Applicant in CA 117 of 2023, submits that till date, they have not yet been served with the copy of the said Application. The said submissions are noted. Applicant in CA 117 of 2023, is hereby directed to serve a copy of the said Application upon the Respondent ISSL, so that they can peruse the same and if need be, shall file and place on record Affidavit in Reply, well before the adjourned date thereby duly serving a copy thereof to the other side well in advance.
- 6) Later on, Ld. Counsel for the Respondent No. 9 in CA 396 of 2021 also submits that her client name has already been ordered to be deleted from the present proceedings *vide* an order of this Bench dt. 22.12.2023, passed in CA 397 of 2023; however, their client's name has not yet been deleted. In that view of the matter, we direct the Union of India to look into the matter

and verify the facts of the matter and if need arise file an appropriate Application thereby seeking amendment in the present matter.

- 7) Parties are directed to complete and exchange the pleadings well before the adjourned date and shall be ready for arguments on the next date of hearing.

Sd/-

**PRABHAT KUMAR
MEMBER (TECHNICAL)**

Sd/-

**JUSTICE VIRENDRASINGH BISHT
MEMBER (JUDICIAL)**

Vedant Kedare