

NATIONAL COMPANY LAW TRIBUNAL, MUMBAI BENCH
COURT III

20. I.A. 1730/2023 I.A. 1480/2023 I.A. 1277/2023
Intervention Petition/18/2023 I.A. 1159/2023 I.A. 1056/2023
I.A. 1045/2023 I.A. 954/2023 I.A. 942/2023 I.A. 784/2023
I.A. 701/2023 I.A. 343/2023 I.A. 3627/2022 I.A. 3626/2022
I.A. 3624/2022 I.A. 3425/2022 I.A. 3163/2022 I.A. 2285/2022
I.A. 1244/2022 I.A. 772/2022 I.A. 2030/2021 IN
C.P.(IB)-27(MB)/2019

CORAM: SHRI. H.V.SUBBA RAO, MEMBER (J)
MS. MADHU SINHA, MEMBER (T)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL
COMPANY LAW TRIBUNAL ON **15.05.2023**

NAME OF THE PARTIES: Bank of India

V/s.

Housing Development & Infrastructure Ltd.

SECTION 7 OF INSOLVENCY AND BANKRUPTCY CODE, 2016

ORDER

Mr. Shadab S Jan a/w. Mr. Mufaddal Paperwala a/w. Mrs. Prangana Barua
i/b. M/s. Crawford Bayley & Co, counsel appearing for the Resolution
Professional, Mr. Rohit Gupta a/w Adv Suyesha Kakarla i/b M/s Apex Law
Partners, counsel appearing for the Applicant in I.A. No 2285/2022, Mr.
Manoj Mishra, counsel appearing for the Applicant in I.A. 784/2023, Mr.
Aayush Kothari i/b Tanvi Wagle, counsel appearing for the Applicant in I.A.
954/2023, CS Ms. Jyoti N Kholia appearing for the applicant in I.A.
3163/2022, Ms. Chaitrika Patki a/w Ms. Aditi Palnitkar i/b Khimani &
Associates, counsel appearing for the Applicant/Petitioner in I.A.1730/2023,
Ms. Rathina Maravarman, counsel appearing for the Applicant/Central Bank
of India in I.A.942/2023, Mr. Rohit Gupta a/w Adv Yash Chheda a/w Adv

Harsh L Behany a/w Adv Saloni Manjrekar a/w Adv Rajat Jain i/b HN Legal, counsel appearing for the Respondents No. 2, 4 to 16, 18 to 23 in I.A. No. 343/2023, Ms. Trupti Shetty, counsel appearing for the Applicant in I.A. 632 of 2021, Mr. Adv Chaitanya Chavan a/w Adv Dipika Panchmatia, Adv Sagar Parab, Adv Avni Vasani & Adv Viraj Mundhe i/b Vigil Juris, counsel appearing for the Respondent in 1730 of 2023, Ms. Smriti Pal i/b M/s. Solicis Lex, counsel appearing for the Applicant in I.A. 1277/2023, are present through virtual hearing.

I.A. 1244/2022

Counsel appearing for the Applicant sought oral permissions to withdraw the above Interlocutory Application. Permission is granted. Accordingly, the above Interlocutory Application stands **disposed of as withdrawn**.

I.A. 954/2023

The above Interlocutory Application is filed by a Single Homebuyers seeking following reliefs:

- a. *This Hon'ble Tribunal be pleased to condone the delay of the in submitting/filing/lodging his claim with the Respondent;*
- b. *This Hon'ble Tribunal be pleased to direct the Respondent to include the claim of the Applicant in the Resolution Plan in the capacity of a financial creditor and be paid in par with other Financial Creditor;*
- c. *In alternative to prayer (b), this Hon'ble Tribunal be pleased to direct the Respondent to verify the claim of the Applicant before the Resolution Plan is approved by this Hon'ble Tribunal;*
- d. *This Hon'ble Tribunal be pleased to direct the Respondent to confirm/provide whether the details of the Applicant's*

allotment/payments are duly reflected in the records of Corporate Debtor;

e. Pass any such other or further orders which this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

f. For costs;

Mr. S.S. Jan, counsel appearing for the RP submits that the claim of the petitioner has been already dealt in the Resolution Plan and the applicant would get his claim as per the provision made in the Plan if the Plan is approved.

In view of the above there is nothing to be adjudicated in the above application. Accordingly, the above Interlocutory Application is **disposed of**.

Parties are directed to complete their pleadings in all other pending applications before the next date of hearing.

I.A. 2285/2022 I.A. 2030/2021 I.A. 3163/2022

List the above Interlocutory Applications on **15.06.2023**.

I.A. 343/2023 I.A. 3425/2022 I.A. 942/2023 I.A. 1045/2023

I.A. 3624/2022 I.A. 3626/2022 I.A. 3627/2022 I.A. 1480/2023

I.A. 1056/2023 I.A. 784/2023 I.A. 1159/2023 I.A. 701/2023

I.A. 1277/2023

List the above Interlocutory Applications on **28.06.2023**.

I.A. 1730/2023 I.A. 772/2022

List this above Interlocutory Applications on **14.07.2023**.

Sd/-
MADHU SINHA
Member (Technical)

//SKS//

Sd/-
H.V.SUBBA RAO
Member (Judicial)