

NATIONAL COMPANY LAW TRIBUNAL, MUMBAI BENCH

COURT III

25. I.A. 343/2023

I.A. 3902/2022

I.A. 3885/2022

I.A. 3425/2022

I.A. 3408/2022

I.A. 2285/2022

I.A. 1147/2022

I.A. 704/2022

I.A. 2030/2021

I.A. 198/2021

I.A. 2376/2020

IN

C.P.(IB)-27(MB)/2019

CORAM:SH. 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 **27.01.2023**

NAME OF THE PARTIES: Bank of India

V/s.

Housing Development & Infrastructure Ltd.

SECTION 7 OF INSOLVENCY AND BANKRUPTCY CODE, 2016

ORDER

Ms. Taruna Nagpal i/b DSK Legal, counsel for the Applicant in I.A. 2376/2020 and Mr. Rohan Agrawal a/w Mr. Kunal Chheda, counsel for the Applicant in IA 3408 of 2022 and Adv. Rohit Gupta a/w Adv. Miloni Sanghvi i/b Omkar Khanvilkar Law Chambers, appearing for Applicant in IA/1147/2022 and

Adv. Shadab Jan a/w Adv. Prerana Wagh and Adv. Prangana Barua i/b M/s Crawford Bayley & Co., counsel for the Resolution Professional and Mr. Akshay Doctor a/w Adv Saloni Sulakhe i/b Dhaval Vussonji & Associates, counsel for the Applicant in IA No. 2030/2021 and Mr. Shyam Kapadia i/b Aniruth Purusothaman, counsel for the Applicant in I.A. 343/2023 and I.A. 3425/2022 and SDS Advocates for Ex- Promoters and Adv Suyesha Kakarla i/b M/s Apex Law Partners, counsel for the Applicant in I.A. 2285/2022 are present through virtual hearing.

I.A. 1147/2022

The above application is filed by the Applicant Yashashri D Lembhe & Anr. for impleading them as necessary party and also a direction to the Resolution Professional to handover vacant and peaceful possession of the schedule flat by the Resolution Professional. Mr. Shadab S. Jan, learned counsel appearing for the Resolution Professional submits that the claim of Bombay Municipal Corporation has been already admitted by the Resolution Professional and Resolution Professional has no objection for handing over vacate possession of the flat without any blame on the Resolution Professional by the Bombay Municipal Corporation. Since the claim of the Bombay Municipal Corporation has been already admitted this tribunal after hearing both sides allow the application in terms of prayer Clause (B) directing the Resolution Professional to handover the vacate and peaceful possession to the Applicants subject to the orders of this Court.

Accordingly, the above Interlocutory Application **is allowed in terms of prayer Clause (B) and disposed of.**

I.A. 2285/2022

The counsel appearing for the Applicants submits that they have already assigned the debt to JC Flower ARC and would like to file appropriate application for bringing the assignee on record.

List the I.A. 2285/2022, I.A. 2030/2021 and I.A. 2376/2020 on **24.02.2023** and I.A. 3425/2022, I.A. 343/2023 on **02.03.2023**.

Sd/-
MADHU SINHA
Member (Technical)
//Shubham//

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