

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Company Appeal (AT) No. 119 of 2018**

**IN THE MATTER OF:**

**Union of India, Ministry of Corporate Affairs**

**...Appellant**

**Vs**

**Gitanjali Gems Ltd. & Ors.**

**....Respondents**

**Present:**

**For Appellant: Mr. Sanjay Shorey, JD(L), MCA, Mr. Vinod Sharma, RoC Mumbai, Mr. Parvez Naikwadi, AROC, Mr. Meghav Gupta, CP, MCA and Mr. S. S. Heque, Sr. AD, SFIO.**

**For Respondents: Mr. Arpan Behl and Mr. Priyank Mansal, Advocates for R-35 & R-38.  
Mr. Arunubh Chowdhary, Abhay Jadeja and Mr. Vaibhav Tomer, Advocates for R-43  
Mr. Rahul Chitnis and Mr. Aaditya Pandey, Advocates for R-46.  
Mr. Dheeraj Nair, Mr. Mohit Bakshi and Mr. Kumar Kislay, Advocates for R-44, 51 & 53.  
Mr. Ashish Prasad and Mr. Mehfooz Nazki, Advocates for R-52.**

**O R D E R**

**23.04.2018:** Mr. Sanjay Shorey, Joint Director (Legal), Ministry of Corporate Affairs appearing on behalf of the Appellant - Union of India submits that though impugned order dated 23<sup>rd</sup> February, 2018 is in favour of the Union of India, in view of certain observation of the Tribunal, the Union of India is not in position to give effect to the order, which is the reason to prefer this appeal for modification of certain part of the impugned order.

Inspite of order of this Appellate Tribunal the original certified free copy of the impugned order which was originally supplied by the Adjudicating Authority to the Appellant and a copy of which has been enclosed has not been filed. Another certified copy of the impugned order issued later has been filed

alongwith application of condonation of delay of 6 days in preferring the appeal. Appellant is directed to file the original certified copy of the order by the next date.

Having heard Mr. Sanjay Shorey, Joint Director (Legal), Ministry of Corporate Affairs on behalf of the Appellant – Union of India and we issue notice on respondents both in the matter of condonation of delay and appeal.

Mr. Arpan Behl, Advocate accepts notice on behalf of Respondent Nos.35 and 38. Mr. Arunubh Chowdhary, Advocate accepts notice on behalf of Respondent No 43. Mr. Dheeraj Nair, Advocate accepts notice on behalf of Respondent Nos. 44, 51 and 53. Mr. Aaditya Pandey, Advocate accepts notice on behalf of Respondent No. 46. Mr. Ashish Prasad Advocate accepts notice on behalf of Respondent No. 52. No further notice needs to be issued on them. They may file their reply within 10 days.

Let notice be issued on rest of the respondents by speed post. Requisites alongwith process fee be filed by 27<sup>th</sup> April, 2018. If the Appellant provides email addresses of the rest of the Respondents, let notice also be sent through email. *Dasti service permitted.*

Post the matter on **3<sup>rd</sup> May, 2018.**

[Justice S.J. Mukhopadhaya]  
Chairperson

[Justice Bansilal Bhat]  
Member (Judicial)

*am/uk*

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