

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**  
**Company Appeal(AT)(Insolvency) No. 82 of 2018**

**IN THE MATTER OF:**

**Binani Industries Limited** **...Appellant**

**Vs**

**Bank of Baroda & Anr.** **....Respondents**

**Present:**

**For Appellant:** **Mr. Arvind Kumar Gupta, Mrs. Purti Marwaha Gupta and Mr. C.S. Chauhan, Advocates**

**For Respondents:** **Mr. Arun Kathpalia, Senior Advocate with Ms. Misha, Mr. Manu Nair, Ms. Bani Brar, and Ms. Jasveen Kaur, Advocates for Rajputana Properties Pvt. Ltd.**

**Mr. Sanjiv Sen, Senior Advocate, along with Ms. Nimita Kaul, and Ms. Amrita Sarkar, Advocates for Committee of Creditors.**

**Mr. Amit Sibal, Senior Advocate with Mr. Vijay Sondhi, Mr. Nakul Sachdeva, Mr. Somesh Dhawan, Mr. Pranshu Paul Ms. Tanya and Avinash Amarnath, Advocates for the RP.**

**With**  
**Company Appeal(AT)(Insolvency) No. 123 of 2018**

**IN THE MATTER OF:**

**Rajputana Properties Pvt. Ltd.** **...Appellant**

**Vs**

**Binani Industries Limited & Ors.** **....Respondents**

**Present:**

**For Appellant:** **Mr. Arun Kathpalia, Senior Advocate with Ms. Misha, Mr. Manu Nair, Ms. Bani Brar, and Ms. Jasveen Kaur, Advocates**

**For Respondents: Mr. Arvind Kumar Gupta and Mrs. Purti Marwaha Gupta, Advocates for Binani Industries Ltd.**

**Dr. A.M. Singhvi, Senior Advocate along with Mr. Mahesh Agarwal, Mr. Himanshu Satija, Ms. Aastha Mehta, Mr. Amit Bhandari and Mr. Avishkar Singhvi, Advocates for UltraTech Cement Ltd.**

**Mr. Sanjiv Sen, Senior Advocate, along with Ms. Nimita Kaul, and Ms. Amrita Sarkar, Advocates for Committee of Creditors.**

**Mr. Amit Sibal, Senior Advocate with Mr. Vijay Sondhi, Mr. Nakul Sachdeva, Mr. Somesh Dhawan, Mr. Pranshu Paul Ms. Tanya and Avinash Amarnath, Advocates for the RP.**

**With  
Company Appeal(AT)(Insolvency) No. 188 of 2018**

**IN THE MATTER OF:**

**Rajputana Properties Pvt. Ltd.**

**...Appellant**

**Vs**

**Ultratech Cement Ltd. & Ors.**

**....Respondents**

**Present:**

**For Appellant: Mr. Arun Kathpalia, Senior Advocate with Ms. Misha, Mr. Manu Nair, Ms. Bani Brar, and Ms. Jasveen Kaur, Advocates**

**For Respondents: Mr. Mukul Rohatgi, Mr. Amarendra Sharan, Senior Advocates, Mr. Mahesh Agarwal, Mr. Himanshu Satija, Ms. Aastha Mehta, Mr. Devanshi Singh and Mr. Amar Dave, Advocates for UltraTech Cement Ltd.**

**Mr. Arvind Kumar Gupta Advocate for Binani Industries Ltd.**

**Mr. P.V. Dinesh, Advocate for SBI, Hongkong, Mr. Krishna Ray Jhaker and Ashish Rana for Exim Bank**

**Mr. Arif Doctor, Mr. Nimay Dave, Mr. Dhaval Vussonji, Mr. Anirudh Wadhwa, Mr. Akash Jhauri and Ms. Divyata Badiani, Advocates for Operational Creditors.**

**Mr. Sanjiv Sen, Senior Advocates, along with Ms. Nimita Kaul, and Ms. Amrita Sarkar, Advocates for Committee of Creditors.**

**Mr. Amit Sibal, Senior Advocate with Mr. Vijay Sondhi, Mr. Nakul Sachdeva, Mr. Somesh Dhawan, Mr. Pranshu Paul Ms. Tanya and Avinash Amarnath, Advocates for the RP.**

**With**  
**Company Appeal(AT)(Insolvency) No. 216 of 2018**

**IN THE MATTER OF:**

**Binani Industries Limited**

**...Appellant**

**Vs**

**Binani Cements Limited & Anr.**

**....Respondents**

**Present:**

**For Appellant: Mr. Arvind Kumar Gupta, Advocate**

**For Respondents: Mr. Arun Kathpalia, Senior Advocate with Ms. Misha, Mr. Manu Nair, Ms. Bani Brar, and Ms. Jasveen Kaur, Advocates for Rajputana Properties Pvt. Ltd.**

**Mr. Sanjiv Sen, Senior Advocates, along with Ms. Nimita Kaul, and Ms. Amrita Sarkar, Advocates for Committee of Creditors.**

**Mr. Amit Sibal, Senior Advocate with Mr. Vijay Sondhi, Mr. Nakul Sachdeva, Mr. Somesh Dhawan, Mr. Pranshu Paul Ms. Tanya and Avinash Amarnath, Advocates for the RP.**

**And**  
**Company Appeal(AT)(Insolvency) No. 234 of 2018**

**IN THE MATTER OF:**

**Mr. Vijay Kumar Iyer  
Resolution Professional**

**...Appellant**

**Vs**

**Mr. Braj Bhusandas Binani & Ors.**

**....Respondents**

**Present:**

**For Appellant:**            **Mr. Amit Sibal, Senior Advocate with Mr. Vijay Sondhi, Mr. Nakul Sachdeva, Mr. Somesh Dhawan, Mr. Pranshu Paul Ms. Tanya and Avinash Amarnath, Advocates.**

**For Respondents:**       **Mr. Arun Kathpalia, Senior Advocate with Ms. Misha, Mr. Manu Nair, Ms. Bani Brar, and Ms. Jasveen Kaur, Advocates for Rajputana Properties Pvt. Ltd.**

**Mr. Sanjiv Sen, Senior Advocates, along with Ms. Nimita Kaul, and Ms. Amrita Sarkar, Advocates for Committee of Creditors.**

**Mr. Arif Doctor, Mr. Nimay Dave, Mr. Dhaval Vussongi, Mr. Anirudh Wadhwa, Mr. Akash Juhari and Ms. Divyata Badlani, Advocates for Operational Creditors.**

**ORDER**

**06.08.2018**            Heard Mr. Mukul Rohatgi and Mr. Amarendra Sharan, learned Senior Counsels appearing on behalf Respondent- UltraTech Cement Ltd. in Appeal No. 188 of 2018. Hearing concluded. Heard Dr. Abhishek Manu Singhvi, learned Counsel appearing on behalf of Respondent- UltraTech Cement Ltd. in Appeal No. 123 of 2018. Hearing concluded. Learned Counsel for the

Appellant – Binani Industries will address on the next date of hearing. Post the cases for further hearing on **7<sup>th</sup> August, 2018 at 2.00 PM** on the top of the list.

[Justice S.J. Mukhopadhaya]  
Chairperson

[Justice Bansi Lal Bhat]  
Member (Judicial)

*Akc/gc*