

**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, Mr. Purti Marwaha Gupta, Mr. C.S. Chauhan, Mr. Kumar Kartikay and Mr. Abhinav Raghvanshi, Advocates

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

Mr. Tushar Mehta, Senior Advocate along with Mr. R. Sudhinder, Mr. Sumant Batra, Ms. Nimita Kaul, Ms. Amita Sarkar, Advocates for Committee of Creditors.

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

Mr. Krishna Thakkar, Advocate for Export Import Bank.

**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, Mr. Siddhant Kant, Mr. Samaksh Goyal, Ms. Bani Brar, Advocates and Ms. Jasveen Kaur.

**For Respondents:** Mr. Arvind Kumar Gupta, Mr. Kumar Kartikay and Mr. Abhinav Raghvanshi, Advocates for Binani Industries.

Dr. A.M. Singhvi, Mr. Amarendra Sharan, Senior Advocates along with Mr. Mahesh Agarwal, Mr. Rajeev Kumar, Mr. Himanshu Satija, Mr. Amit Bhandari, Mr. Avishkar Singhvi, Ms. Aastha Mehta, Mr. Amar Dave and Mr. Divyang Advocates for UltraTech Cement Ltd

Mr. Tushar Mehta, Senior Advocate along with Mr. R. Sudhinder, Mr. Sumant Batra, Ms. Nimita Kaul, Ms. Amita Sarkar, Advocates for Committee of Creditors

Mr. Amit Sibal, Senior Advocate with Mr. Vijay Sondhi, Mr. Nakul Sachdeva, Mr. Somesh Dhawan, Mr. Pranshu Paul, Mr. Soham, Mr. Avinash, and Ms. Tanya, 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, Mr. Siddhant Kant, Mr. Samaksh Goyal, Ms. Bani Brar, Advocates and Ms. Jasveen Kaur.

**For Respondents:** Dr. A.M. Singhvi, Mr. Amarendra Sharan, Senior Advocates along with Mr. Mahesh Agarwal, Mr. Rajeev Kumar, Mr. Himanshu Satija, Mr. Amit Bhandari, Mr. Avishkar Singhvi, Ms. Aastha Mehta, Mr. Amar Dave and Mr. Divyang Advocates for UltraTech Cement Ltd.

Mr. Arvind Kumar Gupta, Mr. Kumar Kartikay and Mr. Abhinav Raghvanshi, Advocates for Binani Industries Ltd.

Mr. Tushar Mehta, Senior Advocate along with Mr. R. Sudhinder, Mr. Sumant Batra, Ms. Nimita Kaul, Ms. Amita Sarkar, Advocates for Committee of Creditors

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

Mr. Amit Sibal, Senior Advocate with Mr. Vijay Sondhi, Mr. Nakul Sachdeva, Mr. Somesh Dhawan, Mr. Pranshu Paul, Mr. Soham, Mr. Avinash, and Ms. Tanya, 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, Mr. Purti Marwaha Gupta, Mr. Kumar Kartikay and Mr. Abhinav Raghvanshi, Advocates

**For Respondents:** Mr. Arun Kathpalia, Senior Advocate with Ms. Misha, Mr. Manu Nair, Mr. Siddhant Kant, Mr. Samaksh Goyal, Ms. Bani Brar, Advocates and

**Ms. Jasveen Kaur, for Rajputana Properties Pvt. Ltd.**

**Mr. Tushar Mehta, Senior Advocate along with Mr. R. Sudhinder, Mr. Sumant Batra, Ms. Nimita Kaul, Ms. Amita Sarkar, Advocates for Committee of Creditors**

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

**For Respondents:**

**Mr. Arun Kathpalia, Senior Advocate with Ms. Misha, Mr. Manu Nair, Mr. Siddhant Kant, Mr. Samaksh Goyal, Ms. Bani Brar, Advocates and Ms. Jasveen Kaur, for Rajputana Properties Pvt. Ltd.**

**Dr. A.M. Singhvi, Mr. Amarendra Sharan, Senior Advocates along with Mr. Mahesh Agarwal, Mr. Rajeev Kumar, Mr. Himanshu Satija, Mr. Amit Bhandari, Mr. Avishkar Singhvi, Ms. Aastha Mehta, Mr. Amar Dave and Mr. Divyang Advocates for UltraTech Cement Ltd**

**Mr. Tushar Mehta, Senior Advocate along with Mr. R. Sudhinder, Mr. Sumant Batra, Ms.**

**Nimita Kaul, Ms. Amita Sarkar, Advocates for  
Committee of Creditors**

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

**Mr. P.V. Dinesh and Mr. Mohit Bhardwaj,  
Advocates for Respondent No. 5 - SBI,  
Hongkong,**

**ORDER**

**16.08.2018**       Hearing of Mr. Arun Kathpalia, learned Senior Advocate appearing on behalf of Rajputana Properties Pvt. Ltd. (Respondent) is concluded. Heard Mr. Amarendra Sharan, learned Senior Advocate appearing on behalf of Ultratech Cement Pvt. Ltd. in reply argument. Hearing concluded. Heard Mr. Krishna Thakkar, learned Advocate appearing on behalf of Export Import Bank. Hearing concluded. He may file short Written Submission, not more than 3 pages, by 20<sup>th</sup> August, 2018. Learned Counsel appearing on behalf of Resolution Professional will handover copies of the Resolution Plans of both the Resolution Applicants separately and will file Written Submission, not more than 3 pages, by 20<sup>th</sup> August, 2018. Rest of the parties may file their respective Written Submissions, not more than 3 pages by 20<sup>th</sup> August, 2018.

Post these appeals for further hearing on **24<sup>th</sup> August, 2018 at 2.00 PM** on the top of the list.

[Justice S.J. Mukhopadhyaya]  
Chairperson

[Justice Bansi Lal Bhat]  
Member (Judicial)

Akc/gc