

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. Abhinav Raghuvanshu, Mr. Purti Marwaha Gupta, Mr. Kumar Kartikey and Mr. C.S. Chauhan Advocates

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

Mr. Sanjiv Sen, Senior Advocate along with Mr. R. Sudhinder, Ms. Nimita Kaul, Ms. Amita Sarkar, Mr. Sumant Batra and Ms. Srishti Kapoor, Advocates for Committee of Creditors.

Mr. Amit Sibal, Senior Advocate with Mr. Nakul Sachdeva, Mr. Somesh Dhawan, Mr. Pranshu Paul, Mr. Soham and Mr. Avinash Advocates for the RP with Mr. Vijay Iyer, RP in person

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, Ms. Bani Brar, and Ms. Jasveen Kaur, Advocates

For Respondents: Mr. Arvind Kumar Gupta, Mr. Abhinav Raghuvanshu, Mr. Purti Marwaha Gupta, Mr. Kumar Kartikey and Mr. C.S. Chauhan, Advocates, for Binani Industries.

Mr. Sanjiv Sen, Senior Advocate along with Mr. R. Sudhinder, Ms. Nimita Kaul, Ms. Amita Sarkar, Mr. Sumant Batra and Ms. Srishti Kapoor, Advocates for Committee of Creditors.

Mr. Arif Doctor, Mr. Akash Chandra Juhari and Ms. Divyata Badlani, Advocates for Operational Creditors.

Mr. Amit Sibal, Senior Advocate with Mr. Nakul Sachdeva, Mr. Somesh Dhawan, Mr. Pranshu Paul, Mr. Soham and Mr. Avinash, Advocates for the RP with Mr. Vijay Iyer, RP in person

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, Ms. Bani Brar, and Ms. Jasveen Kaur, Advocates

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

Mr. Arvind Kumar Gupta, Mr. Abhinav Raghuvanshu, Mr. Purti Marwaha Gupta, Mr. Kumar Kartikey and Mr. C.S. Chauhan, Advocates, for Binani Industries.

Mr. Sanjiv Sen, Senior Advocate along with Mr. R. Sudhinder, Ms. Nimita Kaul, Ms. Amita Sarkar, Mr. Sumant Batra and Ms. Srishti Kapoor, Advocates for Committee of Creditors.

Mr. Amit Sibal, Senior Advocate with Mr. Nakul Sachdeva, Mr. Somesh Dhawan, Mr. Pranshu Paul, Mr. Soham and Mr. Avinash, Advocates for the RP with Mr. Vijay Iyer, RP in person

Mr. K. Thakar, Mr. Ashish Rana and Mr. Surekh Baxy, Advocates for Export Import Bank.

**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. Kumar Kartikey, Mr. Purti Marwaha and Mr. C.S. Chauhan, Advocates.

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

Mr. Sanjiv Sen, Senior Advocate along with Mr. R. Sudhinder, Ms. Nimita Kaul, Ms. Amita Sarkar, Mr. Sumant Batra and Ms. Srishti Kapoor, Advocates for Committee of Creditors.

Mr. Amit Sibal, Senior Advocate with Mr. Nakul Sachdeva, Mr. Somesh Dhawan, Mr. Pranshu Paul, Mr. Soham and Mr. Avinash, Advocates for the RP with Mr. Vijay Iyer, RP in person

Mr. P.V. Dinesh and Mr. Rajendra Beniwal, Advocates for Respondent No. 5 - SBI, Hongkong.

Mr. K. Thakar and Mr. Ashish Rana, Advocates for Export Import Bank.

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. Nakul Sachdeva, Mr. Somesh Dhawan, Mr. Pranshu Paul, Mr. Soham and Mr. Avinash, Advocates for the RP with Mr. Vijay Iyer, RP in person

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

Mr. Sanjiv Sen, Senior Advocate along with Mr. R. Sudhinder, Ms. Nimita Kaul, Ms. Amita Sarkar, Mr. Sumant Batra and Ms. Srishti Kapoor, Advocates for Committee of Creditors.

Mr. Arif Doctor, Mr. Akash Chandra 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

29.08.2018 Hearing of Mr. Arun Kathpalia, learned Senior Counsel appearing on behalf of Rajputana Properties Pvt. Ltd in the connected appeals concluded. Now we intend to hear other Resolution Applicants namely UltraTech Cement Pvt. Ltd. on the question of grant of approval of Resolution Plan under Section 31 of Insolvency and Bankruptcy Code, 2016 taking into consideration the report of 'Committee of Creditors' and the Resolution Plan submitted by them.

Post these cases for further hearing on **30th August, 2018 at 3.00**

PM.

Parties may file their respective Written Submissions by 4th September, 2018, if not filed.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

Akc/gc