

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO.258 OF 2020

STATE BANK OF INDIA

...Appellant(s)

Vs.

**MOSER BAER KARAMACHARI UNION
& ANR.**

...Respondent(s)

WITH

CIVIL APPEAL No. 2520 OF 2020

O R D E R

CIVIL APPEAL NO.258 OF 2020

Applications for impleadment/intervention are allowed.

We have heard the learned counsel for the parties and perused the record. We do not see any cogent reason to entertain the appeal. The judgment impugned does not warrant any interference.

The appeal is accordingly dismissed.

CIVIL APPEAL No. 2520 OF 2020

By order of even date passed in Civil Appeal No.258 of 2020, we have dismissed the appeal, thereby affirming the

judgment and order dated 19th August, 2019 passed by the National Company Law Appellate Tribunal ("NCLAT" for short) in Company Appeal No.396 of 2019.

The order impugned in the present appeal passed by the learned NCLAT is in ignorance of its earlier order dated 19th August, 2019 which is affirmed by us in Civil Appeal No.258 of 2020.

In that view of the matter, this appeal deserves to be allowed. The impugned order passed by the learned NCLAT is quashed and set aside, and the order passed by the National Company Law Tribunal is restored.

.....J.
[B.R.GAVAI]

.....J.
[VIKRAM NATH]

New Delhi;
February 07, 2023.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 258/2020

STATE BANK OF INDIA

Appellant(s)

VERSUS

MOSER BAER KARAMACHARI UNION & ANR.

Respondent(s)

(IA No. 72703/2021 - CLARIFICATION/DIRECTION
IA No. 187446/2019 - EX-PARTE STAY
IA No. 112646/2021 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 112644/2021 - INTERVENTION APPLICATION
IA No. 72698/2021 - INTERVENTION/IMPLEADMENT)

WITH C.A. No. 2520/2020

(IA No. 52541/2020 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 52543/2020 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 52544/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

Date : 07-02-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE VIKRAM NATH

For Appellant(s) Mr. Ankur Mittal, AOR
Ms. Yashika Sharma, Adv.

Mr. Mayank Pandey, AOR

For Respondent(s)

Mr. S. S. Shroff, AOR
Mr. Vaijayant Paliwal, Adv.
Ms. Charu Bansal, Adv.

Mr. Abhishek Anand, Adv.
Mr. Karan Kohli, Adv.
Mr. Sahil Bhatia, Adv.
Mr. Vaibhav Mendiratta, Adv.
For M/S. Mitter & Mitter Co., AOR

Ms. Jane Cox, Adv.
Mr. Prasanna S., AOR
Ms. Swati Arya, Adv.
Mr. Rahil Fazelbhoy, Adv.

Mr. Swarnendu Chatterjee, AOR
Ms. Deepakshi Garg, Adv.
Mr. Yashwardhan Singh, Adv.
Ms. Megha Saha, Adv.

Mr. Ujjal Banerjee, AOR
Mr. Swapnil Gupta, Adv.
Mr. Abhinav Mishra, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Civil Appeal No.258 of 2020 is dismissed and Civil
Appeal No.2520 of 2020 is allowed in terms of the signed
order.

Pending applications shall stand disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(ANJU KAPOOR)
COURT MASTER

(Signed order is placed on the file.)