

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

IA No. 177847 OF 2019

IN

CIVIL APPEAL NO. 6707 OF 2019

COMMITTEE OF CREDITORS OF AMTEK
AUTO LIMITED

Appellant(s)

VERSUS

DINKAR T. VENKATSUBRAMANIAN & ORS.

Respondent(s)

O R D E R

This Court, vide order dated 24.09.2019, after hearing the learned counsel appearing for the parties, had passed the order to the effect that fresh offers be invited by the Resolution Professional within 21 days. The offers were invited as per the order passed by this Court.

Thereafter, the matter was taken up on 13.11.2019 and the following order was passed :-

"The consideration to be confined to five offers received within the time specified in the advertisement inviting offers. Two offers received thereafter not to be considered.

Let a decision be taken by the CoC as to the offers which were received within the time limit within three weeks from today and be placed before this Court.

List on 09.12.2019."

It is submitted that on the basis of wrong information furnished to the learned counsel, it was stated before us that five offers were received within time and two offers were received thereafter. As a matter of fact, only one offer was received within time. There were three Resolution Plans submitted by the resolution applicants and two Financial Offers received thereafter. The facts are placed on record.

In the circumstances, we recall the order dated 13.11.2019 insofar as *"the decision be taken by the CoC as to the offers which were received within the time limit within three weeks from today and be placed before this Court."* The above portion is recalled as only one offer was received within time.

In the circumstances, we direct that fresh offers be invited within 30 days from today after due advertisement in accordance with the procedure prescribed for the purpose. The time fixed by this Court vide order dated 24.09.2019 is hence extended in view of the decision of this Court in *Committee of Creditors of Essar Steel India Limited Vs. Satish Kumar Gupta & Ors.* (Civil Appeal Nos. 8766-67 of 2019) (& batch) decided on 15.11.2019.

The offer may be evaluated within three weeks by CoC thereafter and it may be placed before this Court for consideration.

IA No. 177847 OF 2019 is disposed of.

.....J.
[ARUN MISHRA]

.....J.
[SANJIV KHANNA]

New Delhi;
DECEMBER 02, 2019.

ITEM NO.52

COURT NO.3

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

IA 177847/2019, in Civil Appeal No(s). 6707/2019

COMMITTEE OF CREDITORS OF AMTEK AUTO
LIMITED

Appellant(s)

VERSUS

DINKAR T. VENKATSUBRAMANIAN & ORS.

Respondent(s)

(I.A.NO. 177847 OF 2019 IN C.A. NO. 6707/2019 TO BE LISTED ON
29.11.2019)

(IA No. 177847/2019 - APPLICATION FOR RECTIFICATION)

Date : 02-12-2019 This application was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE SANJIV KHANNA

Counsel for the
parties

Mr. Tushar Mehta, Solicitor General
Ms. Misha, Adv.
Mr. Siddhant Kant, Adv.
Ms. Charu Bansal, Adv.
Mr. S. S. Shroff, Adv.

Mr. Mukul Rohtagi, Sr. Adv.
Mr. K. V. Vishwanathan, Sr. Adv.
Mr. Arvind Kumar Gupta, Adv.
Ms. Purti Marwaha Gupta, Adv.
Ms. Henna George, Adv.
Ms. Divya Kumra, Adv.
Ms. Adya Shree Dutta, Adv.
Ms. Tanisha Issar, Adv.
Mr. E. C. Agrawala, Adv.

Mr. Ritin Rai, Sr. Adv.
Mr. S. K. Thakur, Adv.
Mr. P. S. Sudheer, Adv.
Mr. Rishi Maheshwari, Adv.
Ms. Anne Mathew, Adv.
Mr. Bharat Sood, Adv.
Ms. Shruti Jose, Adv.

Mr. Anupam Lal Das, Sr. Adv.
Mr. Sumant Batra, Adv.
Mr. Sanjay Bhatt, Adv.
Ms. Srishti Kapoor, Adv.
Mr. Rabin Mazumdar, Adv.

Mr. Prashanto Chandra Sen, Sr. Adv.
Mr. Kausthub Singh, Adv.
Mr. Manish Paliwal, Adv.
for M/S Corporate Legal Partners

Mr. D. P. Singh, Adv.
Mr. Anurag Tandon, Adv.
Ms. Soman Gupta, Adv.

Mr. Mayank Pandey, AOR

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

The application is disposed of in terms of the signed order.

(JAYANT KUMAR ARORA)
COURT MASTER

(JAGDISH CHANDER)
BRANCH OFFICER

(Signed order is placed on the file)