

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NOS. 5789-5790 OF 2018

RAJPUTANA PROPERTIES PRIVATE LIMITED

Appellant(s)

VERSUS

ULTRATECH CEMENT LIMITED & ORS.

Respondent(s)

O R D E R

Heard the learned Senior Counsel appearing for the parties.

By our order dated 10.05.2018, we had fervently hoped that the National Company Law Appellate Tribunal would conclude the proceedings at an early date. However, that has not happened.

Be that as it may, the appeal has been set down for hearing on the 10th July, 2018. We are of the view that all points should be left open for arguments before the Appellate Tribunal, including the preliminary objection of Rajputana Properties Private Limited that the bid of Ultratech Cement Limited cannot be looked at at all in view of the fact situation in the present case.

We have been informed that the point concerning the eligibility of Ultratech Cement Limited under Section 29A of the Insolvency and Bankruptcy Code, 2016 including its resolution plan is pending and is to be decided on the 9th of this month by the National Company Law Tribunal, Kolkata.

We transfer the said proceeding, with the consent of parties, to the National Company Law Appellate Tribunal, so that in its deliberation on 10.07.2018 even the point which arises under Section 29A of the Insolvency and Bankruptcy Code will finally be decided only by the Appellate Tribunal.

The proceedings will be conducted as per our order dated 10.05.2018 i.e. it will be taken up for hearing on 10.07.2018 and conducted on a day-to-day basis and judgment may be pronounced as early as possible.

The National Company Law Appellate Tribunal will decide all points raised by both sides, without being influenced by the order dated 15.05.2018.

The National Company Law Tribunal, Kolkata is directed to transfer the files to the Appellate Tribunal forthwith.

The appeals are disposed of accordingly.

..... J.
(ROHINTON FALI NARIMAN)

.....
(INDU MALHOTRA)

New Delhi;
July 02, 2018.

ITEM NO.41

COURT NO.10

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

Civil Appeal No(s). 5789-5790/2018

RAJPUTANA PROPERTIES PRIVATE LIMITED

Appellant(s)

VERSUS

ULTRATECH CEMENT LIMITED & ORS.

Respondent(s)

Date : 02-07-2018 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MS. JUSTICE INDU MALHOTRA

For Appellant(s) Mr. Gopal Subramaniam, Sr. Adv.
 Mr. Arvind Datar, Sr. Adv.
 Mr. Manu Nair, Adv.
 Mr. Kuber Dewan, Adv.
 Mr. Sidhant Kant, Adv.
 Mr. Hitesh Kumar Saini, Adv.
 Mr. S. S. Shroff, AOR

For Respondent(s) Mr. Mukul Rohatgi, Sr. Adv.
 Dr. A.M. Singhvi, Sr. Adv.
 Mr. Amrendra Saran, Sr. Adv.
 Mr. Mahesh Agarwal, Adv.
 Mr. Himanshu Satija, Adv.
 Ms. Aastha Mehta, Adv.
 Ms. Sadapurna Mukharjee, Adv.
 Mr. Amit Bhandari, Adv.
 Mr. E. C. Agrawala, AOR

Mr. Ravi Kadam, Sr. Adv.
Mr. Amit Sibal, Sr. Adv.
Mr. Sumesh Dhawan, Adv.
Mr. Vijay Sondhi, Adv.
Mr. Nakul Sachdeva, Adv.
Mr. D.P. Mohanty, Adv.
Mr. Sumit Goel, Adv.
Mr. Pranshu Paul, Adv.
Mr. Soham Kumar, Adv.
Mr. Akash Jindal, Adv.
Ms. Anwasha Padhi, Adv.
For M/s. Parekh & Co., AOR

Mr. Tushar Mehta, ASG

Mr. R. Sudhinder, Adv.
Ms. Amrita Sarkar, Adv.
Ms. Nimitha Kaul, Adv.
Ms. Ekta Bhasin, Adv.
Mr. Ashok Mathur, AOR

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

The appeals are disposed of in terms of the signed order.

Pending applications, if any, also stand disposed of.

(R. NATARAJAN)
COURT MASTER (SH)

(SAROJ KUMARI GAUR)
BRANCH OFFICER

(Signed order is placed on the file)