

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL**  
**PRINCIPAL BENCH, NEW DELHI**

**I.A. No. 593, 945 of 2019 & 2966 of 2020 & 296, 427, 429, 586, 762, 845,**  
**924, 1709, 2424, 3115, 3579, 4009 of 2022 & 315, 316 of 2023 in**  
**Company Appeal (AT) No. 346 of 2018**

**IN THE MATTER OF:**

**Union of India**

**....Appellant**

**Vs.**

**Infrastructure Leasing and Financial Services Ltd. &  
Ors.**

**....Respondents**

**With**

**Company Appeal (AT) No. 347 of 2018**

**IN THE MATTER OF:**

**Infrastructure Leasing and Financial Services Ltd.**

**....Appellant**

**Vs.**

**Union of India & Ors.**

**....Respondents**

**Present:**

Mr. Ramji Srinivasan, Sr. Advocate with Mr. Raunak Dhillon, Mr. Vikash Jha,  
Ms. Isha Malik, Mr. Nihaad Dewan, Advocates for IL&FS.

Mr. Aditya Sikka, Ms. Vasudha Vijaysheel, Advocates for Union of India.

Mr. Aditya Verma and Mr. K. Rigved Prasad, Advocates in I.A. No. 924 of 2022,  
945 of 2019 (Costal Marine Construction and Engineering Ltd.)

Ms. Shruti Pandey, Ms. Namrata Saragoi, Advocates

Mr. Abhijeet Sinha, Mr. Shivam Shukla, Mr. Mahesh Agrawal, Advocates in I.A.  
No. 586 of 2022 (63 Moons).

Mr. Amar Dave, Mr. Ankur Saigal, Mr. Shivam Shukla, Advocates in I.A. No.  
2424 of 2022

Mr. Sanjay Kapur, Ms. Megha Karnwal, Mr. Surya Prakash, Advocates for SBI in I.A. No. 3579 of 2022.

Mr. Arun Kathpalia, Sr. Advocate with Mr. Sandeep Singhi, Mr. R. Sudhinder, Mr. Gaurav Mathur, Mr. Udit Mendiratta, Ms. Ekta Bhasin, Ms. Aastha Trivedi, Advocates.

Mr. Rajiv S Roy, Mr. Avrojoyti Chatterjee, Mr. Siddharth Dhingra, Ms. Jayasree Saha, Advocates for UCO Bank & Canara Bank.

Mr. Arun Kathpalia, Sr. Advocate with Mr. Manmeet Singh, Ms. Anjali Dwivedi, Ms. Diksha, Advocates for L&T Infra Credit Ltd., ARCIL.

Ms. Kavita Sarin, Ms. Niharika Khanna, Advocates for ECIPL.

Mr. Sanjay Bajaj, Mr. Urwik Hans, Advocates for P.N.B and C.B in I.A Nos. 586,1709, 3115 of 2022.

Ms. Ananya Ghosh, Ms. B.Das, Ms. Doel Bose, Mr. Aditya, Advocates for Applicant in I.A. No. 3579 of 2022.

Mr. Abhirup Dasgupta, Mr. Ishaan Duggal, Mr. Pathik Choudhury, Advocates for Tata Power Consolidated Provident fund & for Pramerica Life Insurance Company.

Mr. Ramji Srinivasan, Sr. Advocate with Mr. Kuber Dewan, Ms. Neeharika Aggrawal, Ms. Trisha Roy Choudhuri, Ms. Shruti Pandey and Mr. Kaustubh Srivastava, Advocates in I.A. No. 593 of 2019 & 2966 of 2020.

Mr. L.K. Bhushan, Ms. Raashi Beri, Advocates for Mccann Ericksion India Trust Pvt. Ltd. (Intervenor).

Mr. Saransh Jain, Mr. Abhishek Kumar, Advocates for Titan Co. Ltd. in I.A. No. 9653-9654 of 2019.

Mr. Krishnendu Datta, Sr. Advocate with Ms. Mahima Sareen, Mr. Rahul Gupta, Mr. Satyajit Bose, Advocates for ICICI Bank in I.A. Nos. 845, 4009 of 2022 & I.A. Nos. 315, 316 of 2023.

Mr. P. Nagesh, Sr. Advocate with Ms. Bani Brar, Mr. Angad Mehta, Advocates for Applicant in I.A. Nos. 296, 427 and 429 of 2022.

Dr. Manish Singhvi, Sr. Advocate with Mr. Ahsan Ul Haq, Advocate for Applicant in I.A. No. 762 of 2022.

**ORDER**

**13.02.2023:**      **I.A. No. 593 of 2019:** As prayed by Shri Arun Kathpalia, learned senior counsel, list this application on **24.02.2023**.

**I.A. No. 924 of 2022:** Learned counsel for the applicant submits that there are certain prospects for settlement, hence, the application be adjourned. Application I.A. No. 924/2022 is adjourned to **24.02.2023**.

**I.A. No. 296 of 2022, I.A. Nos.427 & 429 of 2022 and I.A. No. 762 of 2022:**

As prayed by Shri Ramji Srinivasan, learned senior counsel for ILFS, list these applications on **24.02.2023**.

**I.A. No. 586 of 2022:** Learned counsel for the ILFS seeks liberty and is allowed to file an affidavit within a week.

Shri Abhijeet Sinha, learned counsel appearing for 63 Moons Technology which is creditor of the ITNL prays that the order dated 31.05.2022 passed in I.A. No. 586/2022 for interim distribution may also cover the application/objector and the ITNL may proceed for interim distribution and the order of prohibition as contained in Para 18 (vi)(a) with regard to IL&FS Transportation Networks Limited may be withdrawn.

Learned counsel for the ILFS is not objecting to such prayer, hence, we make it clear that order dated 31.05.2022 as well as order dated 19.01.2023 permitting interim distribution shall also be taken into consideration with regard to IL&FS Transportation Networks Limited creditors, which shall be

without prejudice to the rights and contentions of the objector which is pending before the Hon'ble Supreme Court.

List this application on **24.02.2023**.

**I.A. No. 845 of 2022 and I.A. No. 4009 of 2022:** Shri Krishnendu Datta, learned senior counsel appearing for the applicant prays liberty to file hard copy of the rejoinder. He may do so within three days.

List this application on **24.02.2023**.

**I.A. No. 1709 of 2022:** Learned counsel appearing for the applicant seeks time to file reply to the affidavit dated 10.02.2023 filed by the IL&FS.

Let the reply be filed within a week.

List this application on **24.02.2023**.

Shri Arun Kathpalia, learned senior counsel seeks liberty to file hard copy of the additional affidavit in Dairy No. 42605.

I.A. No. 2424 of 2022, I.A. No. 3579 of 2022, I.A. No. 3115 of 2022 and I.A. Nos. 315, 316 of 2023 be listed on **24.02.2023**.

On 24.02.2023, I.A. No. 276 of 2023 filed by the Indian Bank may also be listed.

**[Justice Ashok Bhushan]  
Chairperson**

**[Dr. Alok Srivastava]  
Member (Technical)**

*am/sa/nn*

*Company Appeal (AT) Nos. 346, 347 of 2018*