

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

CORAM:

Present:

CP. No. 82/(MAH)/2016

CA. No.

SHRI. B. S. V. PRAKASH KUMAR
MEMBER (J)

SHRI. V. NALLASENAPATHY
MEMBER (J)

ATTENDANCE - CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE
NATIONAL COMPANY LAW TRIBUNAL ON 22.12.2016

NAME OF THE PARTIES: M/s. Cyrus Investment Pvt. Ltd.
V/s.
M/s. Tata Sons. Ltd. & Ors.

Section of the Companies Act: 397-398 of the Companies Act, 1956 and 241-242
of the Companies Act, 2013.

Sr. No.	Name	Designation	Signature
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	Dr. Abhishek Manu Singhvi		
	Mr. Ravi Kadam	Sr. Adv.	
	Mr. S. N. Mookherjee		
	Mr. Venkatesh Dhond		
	Mr. Zal Andhyarujina		
	Mr. Nikhil Sakhardhade		
	Mr. Prateek Sekaria		
	Mr. Shuva Mandal		
	Mr. Nitesh Jain		
	Ms. Ruby Singh Ahluwalia Ahuja		
	Ms. Tahira Karanjawala, Jeet Karia		
	Mr. Dhruv Dewan, Avishkar Singhvi		
	Mr. Rohan Batra, Mr. Arjun Sharma		
	Ms. Juhi Mathur, Ms. Payal Chhabria		

For
R1
R2
R3

i/b.
Shardul
Amarchand
Mangaldas
& Co.,
Advocates &
Solicitors.

Counsel Mr. Mohan Parasran

Advocate Mr. Jehangir Mishra

Advocate Mr. Namrata Parashar Dalal

Advocate Mr. Sidharth Sharma

Resp No 3,
6, 14 to 22
Resp 3 & 6 Incapacity of
trustee
for Respondent 1 & 2

Cont.... on pg. 2

Aryama Sundaram, Sr. Counsel
Milind Sathe, Sr. Counsel

Somasekhar Sundaresan

Maresh Agarwal

Ruzbek Mistry

Rohini Musa

Anoj Menon

Parag Sawant

Gurjan Shah

Akshay Doctor

Petitioners

instructed by

M/s. Desai & Diwanji

JAWAR DWARKA DAS, Sr. Counsel

SHARAN JAGTIANI, Counsel

KAIWAN KALYANIWALLA

SHRIN POCHA KHANAWALLA

instructed by

M/s MANEKEHA & SETHIA

ADVOCATES FOR RESPONDENT II

RESPONDENT
No. II

Order**IA No.17/2016/241,242,244/ NCLT/MB//MAH/2016**

The Petitioner Counsel mentioned this Company Petition arguing for about 90 minutes inter alia asking reliefs (e), (f) and (g) covered under IA 17/2016. As soon as the Petitioner Counsel has completed his submissions, when this Bench put it to the Senior Counsel Shri Aryama Sundaram appearing on the petitioners' behalf as to why this Company Petition should not to be posted for main hearing after completion of the pleadings, instead of dealing with the interim reliefs he sought in the IA, to which the Petitioners Senior Counsel Shri Aryama Sundaram, R11 Senior Counsel Shri Janak Dwaraka Das and the answering Respondents Senior Counsel Dr Abhishek Manu Singhvi, Shri S.N.Mookerjee, Shri Ravi Kadam and Shri Mohan Parasaran conceded for the following Consent Order as mentioned below:

The answering Respondents' side has agreed to file reply within 15 days hereof. The Counsel appearing on behalf of R11, who is evidently sailing along with the Petitioners side, agreed to file reply to the Company Petition within one week hereof enabling the answering Respondents to file response to R11 reply within one week thereof and reply to the main Petition within 15 days hereof.

The Petitioner shall file rejoinder to the reply within 15 days thereof. In case R11 notices any new facts in the response of the answering Respondents to R11 Reply, he is at liberty to further respond to the same within 15 days.

It has also been further agreed by all the parties, more specially by the Petitioner Counsel, R11 Counsel and the Counsel on behalf of the answering Respondents, that they will not file any interim Application or initiate any action or proceedings over this subject matter pending disposal of this Company Petition. They have also further agreed that they will not violate the time schedule mentioned above.

Since the answering Respondents Counsel was about to argue over the maintainability of the Company Petition seeking dismissal of the Company Petition in limine, this Bench hereby gives liberty to the answering Respondents to raise maintainability point as first issue in the reply they file to this Company Petition.

The parties are hereby directed to file written submissions in brief, preferably in 10 pages, within 2 days before the next date of hearing after exchange of the same between the parties.

List this matter on 31.1.2017 for hearing the petitioners' side submissions and R11 side submissions and on 1.2.2017 for hearing the Respondents side submissions and rejoining submissions if any.

sd/-

B.S.V. PRAKASH KUMAR
Member (Judicial)

sd/-

V. NALLASENAPATHY
Member (Technical)