

NATIONAL COMPANY LAW TRIBUNAL  
MUMBAI BENCH, MUMBAI

C.P No. 82/(MAH)/2016

M.A. No. 454/2017

CORAM:

Present:

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

SHRI V. NALLASENAPATHY  
MEMBER (T)

ATTENDENCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE  
NATIONAL COMPANY LAW TRIBUNAL ON 03.11.2017

NAME OF THE PARTIES:

M/s. Cyrus Investments Pvt. Ltd. & Anr.

V/s.

M/s. Tata Sons Pvt. Ltd. & Ors.

SECTION OF THE COMPANIES ACT: 397-398 of the Companies Act 1956  
and 241-242, 244 of the Companies Act, 2013.

S. No.	NAME	DESIGNATION	SIGNATURE
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	C. Anyana Sundaram Rohini Musa Apurva Diwanji Ruzbeh Nistij Mohit Arora Parag Sawant Gunjan Shah. Manik Dogra Rohan Taitley Sonali Taitley. Ravi Tyagi Sanya Kapoor Shubhanshu Gupta Dennashish Chauhan A. Agrawal.	Sr. Adv.          Adv. i/b. Desai & Diwanji	}
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	Tanak Dwarkadal Sharan Jagtiani Behangia Tejeshkoy Shireen Pochkhanawalla Nilan Barot	Sr. Advocate Advocates i/b Maneksha & Sethna	}
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Dr. Abhishek MANU SINGHVI, SR-ADV.

PRATEEK SEKSARIA,

RUBY SINGH AHUJA.

DHRUV DEWAN

NITESH JAIN

ANURM PRAKASH.

JUHI MATHUR.

JEET KARIA

SHIVANGHI AGARWAL.

ARTUN SHARMA.  
AYUSMITA SINHA

RESPONDENT NO. 1, 2, 3 and 23

1/b. SHARDUL AMARCHAND

MANGALDAS AND CO.

*[Signature]*

Mr. Mohan Parasaram, Sr. Counsel.

Mr. Zal Andhyarajina Counsel

Ms Shanti Sardesai Counsel

Chidaranda DL, Ashwin Kumar DS

Mr. Jeelangir Mistry

Mrs Namrata Parikh as 1/b

M/s Mulla and Mulla and

Georgie Blunt and Co.

Respondent Nos. 6, 14, 16 to 20

*[Signature]*

C. Keswani 1/b

Economic Laws Practice

Respondent Nos. 5, 7

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**ORDER**

MA No.454/2017 IN CP No.82/ 241-242,244/NCLT/MB/MAH/2017

As to posting this case for final hearing, both sides have come to a consensus as mentioned below:

1. On the Additional Affidavit and Amendment Application (M A 539/2017) filed on 1<sup>st</sup> November 2017 by the Petitioner side, since both sides have agreed to complete the pleadings to the Additional Affidavit filed by the Petitioners, Senior Counsel Mr C. Aryama Sundaram has requested this Bench to take up Additional Affidavit into consideration along with prayers F-1 & G-1 from the Amendment Application, so that Amendment Application moved by the Petitioner side need not separately be dealt with by this Bench.
2. To which, the Respondents' Side Senior Counsel Dr. A. M. Singhvi, in consensus with other Respondents Counsel (except R11 counsel), has agreed for taking up the Additional Affidavit including two prayers as mentioned above i.e. F-1 & G-1 of the Amendment Application into consideration for completion of the pleadings to the Additional Affidavit.
3. Dr. A. M. Singhvi has further stated that it is open to the Respondents side to raise all objections that are available under law saying "the respondents will not raise objection that contents of the Additional Affidavit cannot be looked into solely on the ground those contents have not been mentioned in the main Petition and they will also not raise objection that contents of the Additional Affidavit could only have been taken in the form of Amendment Application."

4. In furtherance of it, Mr. C. Aryama Sundaram has agreed "he will not press for separate hearing or preliminary hearing on IA 75/2017 prior to the hearing of Main Petition by agreeing to make his submissions on this Application along with the final hearing of main case," therefore, it is clear that the hearing in respect to IA 75/2017 will be taken up along with the main Petition hearing.

For the parties have agreed to proceed with final hearing as mentioned above, the Amendment Application (MA 539/2017) filed by the Petitioner side, save and except reliefs F-1 & G-1, is hereby closed in accordance with the Consent Order recorded above with a direction to the Respondents side to file reply to the Additional Affidavit as mentioned above within 10 days hereof and rejoinder by the petitioners, if any, within a week's time thereof.

Senior Counsel Mr Janak Dwarakdas appearing on R11 behalf has raised no objection to the consent order recorded by this Bench.

List this matter for final hearing on 20.11.2017 to 23.11.2017, so that the Petitioners side as well as R-11 side will complete their final hearing submissions within 4 days as mentioned above.

Sd/-

**V. NALLASENAPATHY**  
Member (Technical)

Sd/-

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