

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) No. 44 of 2021

IN THE MATTER OF:

SKS Power Generation (Chhattishgarh) Ltd.Appellant

Vs.

Agritrade Power Holdings Pte. Ltd. & Ors.Respondents

Present:

**For Appellant: Mr. Jayant Mehta, Sr. Advocate, Ms. Soumya Dutta and
Mr. Fuzail Khan, Advocate**

**For Respondents: Ms. Ashmi Mohan, Mr. Mustafa Motiwala and
Mr. Aniketh Nair, Advocates for R-1.
Mr. Rohan Rajadhyaksha, Advocate for R-12 & 14.**

ORDER
(Virtual Mode)

13.05.2021: Learned Counsel for the Appellant submits that inadvertently Union of India (Respondent No. 16) is made party through Ministry of Finance instead of Ministry of Commerce, therefore, we may be permitted to make necessary corrections in the Memo of Appeal and to serve the notice to correct Respondent i.e. Union of India through Ministry of Commerce. He is permitted to do so within a week.

Learned Counsel for Respondent No. 1 & 12 submits that he has sent the Reply Affidavit through courier from Chennai to Delhi, but nobody is available for receiving the courier, therefore, the Reply could not be filed before the Registry. He undertakes to file the Reply Affidavit within 10 days before the Registry. He is directed to provide the copy of the same to Appellant Counsel.

Rejoinder, if any, may be filed before next date.

Learned Counsel appearing on behalf of the SBI and Bank of Baroda submits that he has filed applications for impleadment, however, the applications are not listed today for hearing.

It is notice that the physical copy of the applications have not been filed. Learned Counsel is directed to file the physical copy of the same before the Registry, so that, the applications can be registered and listed for hearing. Also, directed to provide the copy of the applications to Learned Counsel for the parties.

Parties are directed to file 'Written Submissions' not more than three pages along with the relevant citations within 10 days.

Let the matter be fixed for 'hearing' on **27th May, 2021**.

[Justice Jarat Kumar Jain]
Member (Judicial)

[V.P. Singh]
Member (Technical)

sa/gc