

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 654 of 2020

IN THE MATTER OF:

Decan Value Investors LP

...Appellant

Versus

**Dinkar T. Venkatasubramanian & Ors.
(RP of Amtek Auto Ltd.)**

...Respondents

Present:

For Appellant:

Mr. Vikram Nankani, Sr. Advocate with Mr. Anando Mukherjee, Mr. Anuag Singh, Mr. Dinesh Pednekar, Mr. Shailesh Poria, Mr. Chanakya Keswani and Mr. Arpan Behl, Advocates.

For Respondents:

Mr. Sumant Batra, Mr. Sanjay Bhatt and Ms. Niharika Sharma, Advocates with Mr. Dinkar T. Venkatasubramanian, RP for R-1.

Mr. Tushar Mehta, SGI and Mr. Abhinav Vasisht, Sr. Advocate with Ms. Misha, Mr. Anoop Rawat, Mr. Siddhant Kant, Mr. Sagar Dhawan and Ms. Charu Bansal, Advocates for R-2.

Mr. Sumesh Dhawan and Ms. Vatsala Kak, Advocates for R-4.

Mr. Sudhir K Makkar, Sr. Advocate with Ms. Anindita Roychowdhury, Ms. Vatsala Rai, Ms. Saumya Gupta and Mr. Bharat Makkar, Advocates.

With

Company Appeal (AT) (Insolvency) No. 729 of 2020

IN THE MATTER OF:

**Union Bank of India
(Erstwhile Corporation Bank)**

...Appellant

Versus

Dinkar T. Venkatasubramanian & Ors.

...Respondents

Present:

For Appellant: Mr. Gopal Jain, Sr. Advocate with Mr. Alok Kumar, Ms. Drishti Harpalani and Mr. Uday Arora, Advocates.

For Respondents: Mr. Sumant Batra, Mr. Sanjay Bhatt and Ms. Niharika Sharma, Advocates with Mr. Dinkar T. Venkatasubramanian, RP for R-1.

ORDER
(Through Virtual Mode)

23.09.2020: Mr. Sudhir K Makkar, Sr. Advocate representing 'Vistra ITCL (India) Ltd.' submits that the application of 'Vistra ITCL (India) Ltd.' seeking impleadment as party respondent in this appeal may be considered, though 'Vistra ITCL (India) Ltd.' is not aggrieved of dismissal of its Interlocutory Application No. 237/2020, at the hands of Adjudicating Authority in terms of the impugned order, in view of the observations made in the order. It is also admitted by Mr. Makkar that no appeal has been preferred by 'Vistra ITCL (India) Ltd.' against the impugned order. However, it is submitted that the 'Vistra ITCL (India) Ltd.' is a necessary party in the instant appeal as the outcome of this appeal may affect its rights. However, Mr. Tushar Mehta, learned SGI submits that 'Vistra ITCL (India) Ltd.' is not a necessary party in the appeal. Shri Sumant Batra, learned counsel representing the Resolution Professional submits that appeal filed by 'Vistra ITCL (India) Ltd.' in respect of its another application I.A. no.62 of 2020 was dismissed by order dated 24th August, 2020. He may provide a copy thereof by filing an affidavit.

Therefore, before we proceed to hear the appeal on merit, we would address the issue of impleadment raised by Mr. Makkar.

List the matter 'for hearing' on **3rd November, 2020 at 2:00 PM.**

**[Justice Bansi Lal Bhat]
Acting Chairperson**

**[Justice Jarat Kumar Jain]
Member (Judicial)**

**[Shreesha Merla]
Member (Technical)**

am/gc