

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

**I.A. No. 2163 of 2019 in  
Company Appeal (AT) No. 57 of 2019**

**IN THE MATTER OF:**

**Atlas Cycles (Haryana) Ltd. & Ors.**

**...Appellants**

**Vs**

**Vikram Kapur & Ors.**

**....Respondents**

**Present:**

**For Appellants: Mr. Sudhir K. Makkar, Sr. Advocate with Ms. Saumya Gupta, Advocate.**

**For Respondents: Ms. Manisha Chaudhary and Ms. Samridhi Gogia, Advocates for R-1 & R-2**

**ORDER**

**17.07.2019:** Learned counsel for the Applicant pointed out typographical errors in last line of paragraph 19 and last line of paragraph 30 of the Judgment dated 2<sup>nd</sup> July, 2019. It is submitted that this Appellate Tribunal rightly noticed at paragraph 18 that the appeal against order dated 3<sup>rd</sup> August, 2015 under Section 37 of the 'Arbitration & Conciliation Act, 1996 is pending adjudication before the Hon'ble Division Bench of the Delhi High Court but in paragraph 19 it is wrongly typed that the application under Section 37 has been dismissed. It resulted in error in typing of last line in paragraph 30 wherein it is observed that the Hon'ble High Court affirmed the order under Section 37 of the 'Arbitration & Conciliation Act, 1996'. It is also accepted by learned counsel appearing on behalf of the Respondents.

2. In the facts and circumstances, we make necessary corrections in paragraph 19 and last lines of paragraph 30, which should be read as follows:-

*“19. It is informed that the application under Section 37 of the ‘Arbitration & Conciliation Act, 1996’ is still pending.”*

In para 30 last four lines should be read as follows:-

*“30. .... Pursuant to the ‘Memorandum of Understanding’, the Arbitration Proceedings is initiated, in which order of award was passed but set aside by the Hon’ble High Court and the matter is pending consideration before the Hon’ble High Court under Section 37 of the ‘Arbitration & Conciliation Act, 1996’.”*

3. The office is directed to make necessary correction in paragraph 19 and 30 of the Judgment dated 2<sup>nd</sup> July, 2019 and issue corrected copy of the judgment free of cost to the parties and let it be uploaded and notified in the website.

[Justice S. J. Mukhopadhaya]  
Chairperson

[Justice Bansi Lal Bhat]  
Member (Judicial)

*am/gc*