

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

**Company Appeal (AT) (Insolvency) No. 957 of 2019**

**IN THE MATTER OF:**

**JSW Steel Ltd.**

**...Appellant**

**Vs.**

**Mahender Kumar Khandelwal & Ors.**

**...Respondents**

**Present: For Appellant: - Mr. Kapil Sibal and Mr. Arun Kathpalia, Senior Advocates with Mr. Manmeet Singh, Mr. Anugrah Robin Frey, Ms. Nishtha Chaturvedi and Ms. Abhilasha Khanna, Advocates.**

**For Respondents: - Mr. Abhinav Vasisht, Senior Advocate with Mr. Shantanu Chaturvedi, Ms. Charu Bansal, Mr. Saurav Panda, Mr. Anoop Rawji and Mr. Shreyas Gupta, Advocates for 'Resolution Professional'**

**Mr. Ramji Srinivasan, Senior Advocate with Mr. Spandan Biswal, Mr. Bishwajit Dubey, Ms. Srideepa, Mr. Prafful and Ms. Sylona, Advocates for CoC.**

**Mr. Zoheb Hossain, Advocate for ED.  
Mr. Ramaiya, Joint Director and Ms. Chetna Kandpal,  
Company Prosecutor for Ministry of Corporate Affairs**

**Company Appeal (AT) (Insolvency) No. 1034 of 2019**

**IN THE MATTER OF:**

**Sanjay Singal & Anr.**

**...Appellants**

**Vs.**

**Punjab National Bank & Ors.**

**...Respondents**

**Present: For Appellants: - Mr. Harin Raval, Senior Advocate with Mr. Arvind Kumar Gupta, Ms. Henna George, Ms. Adya and Ms. Sukanya Singh, Advocates.**

**For Respondents: - Mr. Kapil Sibal, Senior Advocate with Mr. Manmeet Singh, Mr. Anugrah Robin Frey, Ms. Nishtha Chaturvedi and Ms. Abhilasha Khanna, Advocates for Resolution Professional**

**Company Appeal (AT) (Insolvency) No. 1035 of 2019**

**IN THE MATTER OF:**

**Kalyani Transco**

**...Appellant**

**Vs.**

**Bhushan Power & Steel Ltd.**

**Through Resolution Professional & Ors.**

**...Respondents**

**Present: For Appellant: - Ms. Areeca, Advocate.**

**For Respondents: - Mr. Kapil Sibal and Mr. Arun Kathpalia, Senior Advocates with Mr. Manmeet Singh, Mr. Anugram Robin Frey, Ms. Nishtha Chaturvedi and Ms. Abhilasha Khanna, Advocates.**

**Mr. Arvind Kumar Gupta, Advocate.**

**Company Appeal (AT) (Insolvency) No. 1055 of 2019**

**IN THE MATTER OF:**

**Jaldhi Overseas Pte. Ltd.**

**...Appellant**

**Vs.**

**Bhushan Power Steel Ltd. & Ors.**

**...Respondents**

**Present: For Appellant: - Mr. Kumar Shashank Shekhar, Mr. Diwakar Maheshwari and Ms. Pratiksha Mishra, Advocates.**

**For Respondents: - Mr. Kapil Sibal and Mr. Arun Kathpalia, Senior Advocates with Mr. Manmeet Singh, Mr. Anugram Robin Frey, Ms. Nishtha Chaturvedi and Ms. Abhilasha Khanna, Advocates.**

**Company Appeal (AT) (Insolvency) No. 1074 of 2019**

**IN THE MATTER OF:**

**Medi Carrier Pvt. Ltd.**

**...Appellant**

**Vs.**

**Mahendra Kumar Khandelwal,  
Resolution Professional of Bhushan Power  
and Steel Ltd. & Anr.**

**...Respondents**

**Present: For Appellant: - Mr. Abhijeet Sinha, Mr. Sidhartha Sharma, Mr. Arjun Asthana and Ms. Sreenita Ghosh, Advocates.**

**For Respondents: - Mr. Kapil Sibal and Mr. Arun Kathpalia, Senior Advocates with Mr. Manmeet Singh, Mr. Anugram Robin Frey, Ms. Nishtha Chaturvedi and Ms. Abhilasha Khanna, Advocates.**

**Company Appeal (AT) (Insolvency) No. 1126 of 2019**

**IN THE MATTER OF:**

**CJ Darcl Logistics Ltd.**

**...Appellant**

**Vs.**

**Mahender Kumar Khandelwal  
Resolution Professional of Bhushan  
Power & Steel Ltd.**

**...Respondent**

**Present: For Appellant: - Mr. Manu Beri, Mr. Atul S. Mathur, Ms. Priya Singh and Ms. Deepabali Dutta, Advocates.**

**For Respondents: - Mr. Kapil Sibal and Mr. Arun Kathpalia, Senior Advocates with Mr. Manmeet Singh, Mr. Anugram Robin Frey, Ms. Nishtha Chaturvedi and Ms. Abhilasha Khanna, Advocates.**

**Mr. Ramji Srinivasan, Senior Advocate with Mr. Spandan Biswal, Mr. Bishwajit Dubey, Ms. Srideepa, Advocates for CoC.**

**Company Appeal (AT) (Insolvency) No. 1461 of 2019**

**IN THE MATTER OF:**

**State of Odisha & Ors.**

**...Appellants**

**Vs.**

**Bhushan Power & Steel Ltd. & Anr.**

**...Respondents**

**Present: For Appellants: - Mr. Rana Mukherjee, Senior Advocate with Ms. Kirti Mishra, Ms. Daisy Hanna and Ms. Apurva Upmanyu, Advocates.**

**For Respondents: - Mr. Kapil Sibal and Mr. Arun Kathpalia, Senior Advocates with Mr. Manmeet Singh, Mr. Anugram Robin Frey, Ms. Nishtha Chaturvedi and Ms. Abhilasha Khanna, Advocates.**

**ORDER**

**23.01.2020** Apart from deciding all the issues, the ‘Ministry of Corporate Affairs’, the ‘Directorate of Enforcement’, the ‘Central Bureau of Investigation’ and the ‘Serious Fraud Investigation Office’ are allowed to address as to why this Appellate Tribunal will not take into consideration of Section 32A of ‘the Insolvency and Bankruptcy Code, 2016’ as inserted by ‘The Insolvency and Bankruptcy Code (Amendment) Ordinance, 2019’ dated 28<sup>th</sup> December, 2019.

In the meantime, the Appellant(s) may file rejoinder(s) to the reply-affidavits, already filed, by 28<sup>th</sup> January, 2020.

Post all the appeals ‘for orders’ on **30<sup>th</sup> January, 2020** at 2.00 P.M. The appeals may be disposed of on the next date.

[Justice S.J. Mukhopadhaya]  
Chairperson

[ Shreesha Merla ]  
Member (Technical)

/ns/RR/