
(2020) 07 NCLT CK 0072

In the National Company Law Tribunal

Case No : Interlocutory Appeal No. 489 Of 2019 In Company Petition (I.B.) No. 174/Nclt/Ahm Of 2019

Ras Infraport Pvt. Ltd

APPELLANT

Vs

Bank Of India

RESPONDENT

Date of Decision : 09-07-2020

Acts Referred:

Citation : (2020) 07 NCLT CK 0072

Hon'ble Judges : Manorama Kumari, J

Bench : Single Bench

Final Decision : Disposed Of

Judgement

Manorama Kumari, J

(Through video conferencing)

Ms. Nita Pandit, Learned Lawyer, appeared on behalf of the Applicant.

Mr. Kuldeep, Advocate, appeared on behalf of Mr. Ketan M. Parikh, Learned Lawyer for the Respondent.

The instant application is filed by the Applicant/Corporate Debtor with a prayer to allow the Corporate Debtor to file the reply.

On perusal of the record, it is found that on 15.07.2019, the respondent's right to file reply was closed.

The learned lawyer for the Respondent/Original Petitioner has objected for allowing to file reply and even if the same is allowed, some cost may be imposed upon the Corporate Debtor.

Heard both sides also gone through the records.

The learned lawyer for the Corporate Debtor submitted that during the pendency of the application, the Arbitral Court has passed an award, whereby third party

has been directed to pay the amount to the bank. All these matters are not brought in record, hence, for the interest of justice, the corporate debtor is allowed to file reply along with the result of the Arbitral Court, with a copy to the other side, with a cost of Rs. 10,000/- (Rupees Ten Thousand only) to be paid to the Prime Minister Cares Fund or Army Welfare Fund.

Three weeks' time is granted to the Respondent to file reply, by serving an advance copy to the Petitioner. On receipt of the advance copy of reply, the Petitioner is at liberty to file rebuttal documents, if any, within one-week, no further time shall be granted.

Accordingly, the instant application is disposed off.