

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL (NO.) 1133/2023

EARTHIN PROJECTS LIMITED

APPELLANT(S)

VERSUS

INDU PROJECTS LIMITED & ANR.

RESPONDENT(S)

O R D E R

Heard learned counsel for the parties.

2. Learned counsel appearing for the petitioner undertakes that he would file the proof of service during the course of the day. His submission and undertaking is placed on record. If needful is not done as undertaken, the appeal shall stand dismissed without reference to the Bench.

3. Learned counsel appearing for the respondent has brought to notice the order of this Court dated 13.10.2023 passed in Civil Appeal Dy.No.39897/2023 whereunder direction has been issued for time bound disposal of application for modification of stay or for vacating the stay. Hence, it is made clear that pendency of the present appeal would not come in the way of National Company Law Appellate Tribunal (for short 'NCLAT') taking up the proceedings pending before it in the teeth of the aforesaid order dated 13.10.2023 passed by this Court.

4. Registry to take steps to list the present Civil Appeal before the Court day after tomorrow, if needful is done, as observed hereinabove.

....., J
[ARAVIND KUMAR]

NEW DELHI;
20th NOVEMBER, 2023.

ITEM NO.1717

COURT NO.16

SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 1133/2023

EARTHIN PROJECTS LIMITED

Appellant(s)

VERSUS

INDU PROJECTS LIMITED & ANR.

Respondent(s)

Date : 20-11-2023 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR
[IN CHAMBER]

For Appellant(s) Mr. Avinash B. Amarnath, AOR

For Respondent(s) Mr. Vatsalya Vigya, AOR

For Caveator(s) Mr. Yelamanchili Shiva Santosh Kumar, Adv.
 Mr. Rudrajit Ghosh, Adv.
 Mr. Tarun Gupta, AOR

UPON hearing the counsel the Court made the following
O R D E R

Heard learned counsel for the parties.

2. Learned counsel appearing for the petitioner undertakes that he would file the proof of service during the course of the day. His submission and undertaking is placed on record. If needful is not done as undertaken, the appeal shall stand dismissed without reference to the Bench.

3. Learned counsel appearing for the respondent has brought to notice the order of this Court dated 13.10.2023 passed in Civil Appeal Dy.No.39897/2023 whereunder direction has been issued for time bound disposal of application for modification of stay or for vacating the stay. Hence, it is made clear that pendency of the

present appeal would not come in the way of National Company Law Appellate Tribunal (for short 'NCLAT') taking up the proceedings pending before it in the teeth of the aforesaid order dated 13.10.2023 passed by this Court.

4. Registry to take steps to list the present Civil Appeal before the Court day after tomorrow, if needful is done, as observed hereinabove.

(VARSHA MENDIRATTA)
COURT MASTER (SH)

(BEENA JOLLY)
COURT MASTER (NSH)