

ITEM NO.19+51

COURT NO.2

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 Diary No(s). 47271/2023

(Arising out of impugned final judgment and order dated 06-10-2023 in CAAT(I) No. 991/2023 passed by the National Company Law Appellate Tribunal)

**LATE SH. CHANDRA BHAN MUKHIJA THROUGH
HIS LEGAL HEIR SURENDRA MOHAN MUKHIJA**

Appellant(s)

VERSUS

MS SARE GURUGRAM PVT LTD & ORS.

Respondent(s)

(FOR ADMISSION and IA No.1803/2024-ADDITION / DELETION / MODIFICATION PARTIES and IA No.1799/2024-STAY APPLICATION and IA No.1804/2024-CONDONATION OF DELAY IN REILING / CURING THE DEFECTS)

WITH

Diary No(s). 47273/2023 (XVII)

(FOR ADMISSION and IA No.266778/2023-STAY APPLICATION and IA No.266777/2023-CONDONATION OF DELAY IN REILING / CURING THE DEFECTS and IA No.266780/2023-DELETING THE NAME OF PETITIONER/RESPONDENT)

Diary No(s). 47269/2023

(FOR ADMISSION and IA No.10266/2024-EX-PARTE STAY and IA No.10273/2024-CONDONATION OF DELAY IN REILING / CURING THE DEFECTS and IA No.10271/2024-DELETING THE NAME OF PETITIONER/RESPONDENT)

Date : 22-01-2024 This petition was called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE DIPANKAR DATTA**

For Petitioner(s) Ms. Priyanjali Singh, AOR

**For Respondent(s) Mr. Suvidutt M. S., AOR
Dr. Pankaj Garg, Adv.
Mr. Milind Garg, Adv.
Mr. Yaksh Garg, Adv.
Mrs. Nikita Garg, Adv.
Ms. Deepika Singh, Adv.
Ms. Disha Puri, Adv.**

Mr. Niraj Kishan Kaul, Sr. Adv.
Mrs. Vanita Bhargava, Adv.
Mr. Ajay Bhargava, Adv.
Ms. Wamika Trehan, Adv.
Mr. Mohit Kishore, Adv.
Ms. Raddhika Khanna Tandan, Adv.
Mr. Siddhant Kumar, Adv.
Mr. Toshiv Goyal, Adv.
Mr. Ritwik Mahapatra, Adv.
M/S. Khaitan & Co., AOR

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

Delay condoned.

Issue notice and tag with Civil Appeal No.7943 of 2023 titled
"*Mithilesh Devi & Ors. vs. Asset Care and Reconstruction
Enterprises Ltd. & Ors.*".

Notice will be served by all modes, including *dasti*.

Applications for deletion of proforma respondent is allowed at
the risk of the appellant, and subject to all just exceptions. The
Memo of Parties be amended accordingly.

In the meanwhile, interim order dated 11.12.2023 passed in
Civil Appeal No.7943 of 2023 will operate in the present case.
Accordingly, third-party rights will not be created with respect to
persons who have made payments for the flats or are in possession
of the apartments. Further, the flat buyers in possession will not
be dispossessed.

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
ASSISTANT REGISTRAR