

ITEM NO.14

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). 47272/2023**

(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)

GIRISH RANJAN SINGH

Appellant(s)

VERSUS

M/S SARE GURUGRAM PVT LTD &amp; ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.28302/2024-STAY APPLICATION and IA No.28305/2024-CONDONATION OF DELAY IN REFILEING / CURING THE DEFECTS and IA No.28303/2024-DELETING THE NAME OF PETITIONER/RESPONDENT )

Date : 26-02-2024 This petition was called on for hearing today.

CORAM :

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

For Appellant(s) Ms. Priyanjali Singh, AOR

For Respondent(s) Mr. Milind Garg, Adv.  
Ms. Nikita Garg, Adv.  
Mr. Yaksh Garg, Adv.  
Mr. Suvidutt M.s., AOR

Mr. Ajay Bhargava, Adv.  
Mrs. Vanita Bhargava, Adv.  
Ms. Wamika Trehana, Adv.  
Ms. Radhika Khanna Tandan, Adv.  
Mr. Sidhant Kumar, 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. v. Asset Care and Reconstruction Enterprises Ltd. & Ors."*.

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

Applications for deletion of the 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 already in possession will not be dispossessed.

Learned counsel for the parties will also examine the effect of the recent amendment to Section 36(4) of the Insolvency and Bankruptcy Code, 2016.

(BABITA PANDEY)  
COURT MASTER (SH)

(R.S. NARAYANAN)  
ASSISTANT REGISTRAR