

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

**Company Appeal (AT) (Ins.) No. 644 of 2019**

**&**

**I.A. No. 2106 of 2019**

**In the matter of:**

**Darshan Gandhi, Ex-Director,  
Lok Housing & Construction Ltd.**

**....Appellant**

**Vs.**

**USV Pvt. Ltd. & Anr.**

**....Respondents**

**Present**

**For Appellant: Mr. Krishnendu Datta, Sr. Advocate along with  
Mr. Utsav Mukherjee, Ms. Megha Tyagi & Ms. Deepti  
Babel, Advocates.**

**For Respondents: Mr. P.B.A. Srinivasan, Mr. Parth D Tandon,  
Mr. Avinash Mohapatra, Mr. Pulkit Sharma,  
Mr Mukesh Gupta & Mr. Ashwini Patil, Advocates.**

**Mr. Dhruv Mehta, Sr. Advocate along with  
Ms. Ichchha Kalash, Ms. P.S. Chandralekha &  
Mr. Keith Varghese, SBI.**

**Mr. Shaila Tawara, for R-1.**

**Mr. Hemant J Mehta & Ms. Anjali Sharma, for RP/  
R-2.**

**Mr. Rajendra Mishra, for Intervenor.**

**Mr. Devrajan Raman, AR for Home Buyers.**

**With**

**Company Appeal (AT) (Ins.) No. 79 of 2021**

**In the matter of:**

**Darshan Gandhi**

**....Appellant**

**Vs.**

**Hemant Mehta & Anr.**

**....Respondents**

**Present**

**For Appellant: Mr. Krishnendu Datta, Sr. Advocate along with  
Mr. Utsav Mukherjee, Ms. Megha Tyagi, Mr. Rajendra  
Mishra, Mr. Mukesh Gupta, Mr. Ashwini Patil &  
Ms. Deepti Babel, Advocates.**

**For Respondents: Mr. Dhruv Mehta, Sr. Advocate along with Mr. Avinash Mohapatra, Ms. P.S. Chandralekha, Mr. Keith Varghese & Mr. Parth D Tandon, for SBI.**

**Mr. Hemant J Mehta, for RP/ R-2.**

**Mr. P.B.A. Srinivasan & Mr. Pulkit Sharma, Advocates.  
Ms. Anjali Sharma (RP), Mr. Shaila Tawara, for R-1.**

**Mr. Devrajan Raman, AR for Home Buyers.**

**With**

**Contempt Case No. 10 of 2021  
Company Appeal (AT) (Ins.) No. 79 of 2021**

**In the matter of:**

**Darshan Gandhi**

**....Appellant**

**Vs.**

**Hemant Mehta & Anr.**

**....Respondents**

**Present**

**For Appellant: Mr. Krishnendu Datta, Sr. Advocate along with Mr. Utsav Mukherjee, Ms. Megha Tyagi, Mr. Rajendra Mishra, Mr. Mukesh Gupta, Mr. Ashwini Patil & Ms. Deepti Babel, Advocates.**

**For Respondents: Mr. Hemant J Mehta & Ms. Anjali Sharma for RP/ R-1.  
Mr. Sahila Tawara, Mr. Pulkit Sharma, for R-1.  
Mr. Dhruv Mehta, Sr. Advocate along with Ms. Ichchha Kalash, Mr. Parth D. Tandon & Mr. Keith Varghese, for SBI.**

**Mr. Avinash Mohapatra, Mr. P.B.A. Srinivasan**

**Mr. Devrajan Raman, AR for Home Buyers.**

**ORDER  
(Virtual Mode)**

**23.09.2021:** Learned Counsel for the Appellant, Respondents and Intervenor are present.

In terms of the Order dated 06.08.2021, whereby the Office was directed to give specific note as to whether the Reply in all four Interlocutory Applications bearing I. A's Nos. 2106/2019, 2609/ 2019, 2614/ 2019 and 4316/ 2016 have been filed or not.

From the perusal of the Office Note dated 11.08.2021 it reveals that the Reply Affidavit has been filed on behalf of Learned Counsel for the Appellant to I.A. No. 2660 of 2019, which is taken on record.

Reply Affidavit has also been filed on behalf of the Appellant to the Intervention Application No. 4316 of 2019 filed by *Hitesh Ramji Javeri & Ors.* on 11.06.2021, which is taken on record.

Further, it Office Note reveals that the Reply Affidavit has been filed on behalf of the Appellant to the Intervention Application No. 2609 of 2019 filed by M/s Trade Tech on 06.08.2021 which is taken on record.

Today, when the case was called out Learned Counsel Mr. Rajendera Mishra appears on behalf of the Intervenor. He submits that he has not received copy of the Reply Affidavit filed in I.A. No. 2609 of 2019.

Learned Counsel for the Appellant is directed to serve the Soft Copy of the Reply Affidavit to the Learned Counsel for the Intervenor on their e-mail address, within one week from today. Learned Counsel for the Intervenor is directed to serve their e-mail address in the chat box, in the course of the day.

In Company Appeal (AT) (Ins.) No. 644 of 2019 Written Submission has been filed on behalf of the State Bank of India (SBI) Applicant/ Impleader on 15.03.2021, which is taken on record.

In Company Appeal (AT) (Ins.) No. 644 of 2019 Reply Affidavit has been filed on behalf of Respondent No. 1 & Respondent No. 2, which are taken on record.

Learned Senior Counsel Mr. Krishnendu Datta appears on behalf of Appellant, he seeks permission to file Rejoinder to the Reply Affidavit filed on behalf of the Respondent No. 1 & 2. Prayer allowed. Learned Counsel for the Appellant is directed to file Hard Copy of the Rejoinder, within one week from today.

Office of the Registry is directed to accept the same.

In Contempt Case No. 10 of 2021 Company Appeal (AT) (Ins.) No. 79 of 2021 Reply Affidavit has been filed on behalf of Respondent No. 1- *'Hemant Mehta Resolution Professional, Lok Housing and Constructions Limited'* which is taken on record.

Learned Counsel for the Appellant is directed to file Hard Copy of the Rejoinder to the Reply Affidavit filed on behalf of Respondent No. 1, within one week from today.

In the meanwhile, Learned Counsel for the Parties are directed to file Hard Copy of the Written Submissions not exceeding three pages along with the Judgements which they want to rely upon, within one week from today.

Office of the Registry is directed to accept the aforesaid documents.

List this matter '**For Admission (After Notice)**' on **7<sup>th</sup> October, 2021**,  
on top of the list.

**[Justice Anant Bijay Singh]**  
**Member (Judicial)**

**[Ms. Shreesha Merla]**  
**Member (Technical)**

*Sim/Kam*