

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.258 OF 2020

STATE BANK OF INDIA . . .Appellant(s)

Vs.

MOSEER BAER KARAMACHARI UNION  
& ANR. . .Respondent(s)

WITH

CIVIL APPEAL No. 2520 OF 2020

O R D E R

CIVIL APPEAL NO.258 OF 2020

Applications for impleadment/intervention are allowed.

We have heard the learned counsel for the parties and perused the record. We do not see any cogent reason to entertain the appeal. The judgment impugned does not warrant any interference.

The appeal is accordingly dismissed.

CIVIL APPEAL No. 2520 OF 2020

By order of even date passed in Civil Appeal No.258 of 2020, we have dismissed the appeal, thereby affirming the

judgment and order dated 19th August, 2019 passed by the National Company Law Appellate Tribunal ("NCLAT" for short) in Company Appeal No.396 of 2019.

The order impugned in the present appeal passed by the learned NCLAT is in ignorance of its earlier order dated 19th August, 2019 which is affirmed by us in Civil Appeal No.258 of 2020.

In that view of the matter, this appeal deserves to be allowed. The impugned order passed by the learned NCLAT is quashed and set aside, and the order passed by the National Company Law Tribunal is restored.

.....J.  
[B.R.GAVAI]

.....J.  
[VIKRAM NATH]

New Delhi;  
February 07, 2023.

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). 258/2020

STATE BANK OF INDIA

Appellant(s)

VERSUS

MOSER BAER KARAMACHARI UNION & ANR.

Respondent(s)

(IA No. 72703/2021 - CLARIFICATION/DIRECTION  
IA No. 187446/2019 - EX-PARTE STAY  
IA No. 112646/2021 - EXEMPTION FROM FILING AFFIDAVIT  
IA No. 112644/2021 - INTERVENTION APPLICATION  
IA No. 72698/2021 - INTERVENTION/IMPLEADMENT)

WITH C.A. No. 2520/2020

(IA No. 52541/2020 - APPROPRIATE ORDERS/DIRECTIONS  
IA No. 52543/2020 - EXEMPTION FROM FILING AFFIDAVIT  
IA No. 52544/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT)

Date : 07-02-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI  
HON'BLE MR. JUSTICE VIKRAM NATH

For Appellant(s) Mr. Ankur Mittal, AOR  
Ms. Yashika Sharma, Adv.

Mr. Mayank Pandey, AOR

For Respondent(s)

Mr. S. S. Shroff, AOR  
Mr. Vaijayant Paliwal, Adv.  
Ms. Charu Bansal, Adv.

Mr. Abhishek Anand, Adv.  
Mr. Karan Kohli, Adv.  
Mr. Sahil Bhatia, Adv.  
Mr. Vaibhav Mendiratta, Adv.  
For M/S. Mitter & Mitter Co., AOR

Ms. Jane Cox, Adv.  
Mr. Prasanna S., AOR  
Ms. Swati Arya, Adv.  
Mr. Rahil Fazelbhoy, Adv.

Mr. Swarnendu Chatterjee, AOR  
Ms. Deepakshi Garg, Adv.  
Mr. Yashwardhan Singh, Adv.  
Ms. Megha Saha, Adv.

Mr. Ujjal Banerjee, AOR  
Mr. Swapnil Gupta, Adv.  
Mr. Abhinav Mishra, Adv.

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

Civil Appeal No.258 of 2020 is dismissed and Civil  
Appeal No.2520 of 2020 is allowed in terms of the signed  
order.

Pending applications shall stand disposed of.

(ANITA MALHOTRA)  
AR-CUM-PS

(ANJU KAPOOR)  
COURT MASTER

(Signed order is placed on the file.)