

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

SPECIAL LEAVE PETITION (CIVIL) Diary No(s).5960/2020

(Arising out of impugned final judgment and order dated 16-09-2019 in RPL No.38/2019 08-07-2019 in NOM No.19/2016 passed by the High Court Of Judicature At Bombay)

MALAYAN BANKING BERHAD

Petitioner(s)

VERSUS

USHDEV INTERNATIONAL LTD. & ORS.

Respondent(s)

(With appln for condonation of delay in filing SLP)

Date : 15-10-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO

HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s) Mr. Amit Sibal, Sr. Adv.

Mr. Ajay Monga, Adv.

Mr. Vikas Kumar, AOR

For Respondent(s)

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

Learned counsel for the petitioner states that High Court has committed an error in its interpretation of Section 14(1)A of Insolvency and Bankruptcy Code, 2016. He submits that the provision of moratorium is only applicable to civil suits filed against the corporate debtor. In this case, the suit has been filed by the corporate debtor and Section 14(1)A is not applicable.

Delay condoned.

Issue notice.

(B.Parvathi)  
Court Master

(Anand Prakash)  
Court Master