

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4697/2023

Certified to be True Copy  
Assistant Registrar (Judl.)  
18-11-2020  
Supreme Court of India

AMIT AHIRRAO

.....

APPELLANT(S)

VERSUS

**24037241**

ANAGHA ANASINGHARAJU & ANR.

.....

RESPONDENT(S)

**O R D E R**

I.A. No.143116/2024 for impleadment is allowed.

I.A. No.143115/2024 was filed by the appellant - Amit Ahirrao, erstwhile director of the corporate debtor - M/s. Virtue Infra and Entertainment Private Limited. The application enclosed the consent terms agreed upon between the appellant - Amit Ahirrao and respondent No.2, Sakharam Tambolkar, who had initiated the proceedings under the Insolvency and Bankruptcy, Code, 2016<sup>1</sup>, as a financial creditor. He was formerly the father-in-law of the appellant - Amit Ahirrao.

The consent terms were also signed by the ex-wife of the appellant, namely, Maithilee Tambolkar, who is a financial creditor, as well as Sanjeev Autoparts Mfrs. Pvt. Ltd., who is an operational creditor.

Signature valid Application for intervention/impleadment and objections to the  
Consent terms have been filed by M/s. A.M. Patel Infrastructure Pvt. Ltd. It is accepted at the Bar that M/s. A.M. Patel

<sup>1</sup> For short "IBC"

Infrastructure Pvt. Ltd. claims to be an operational creditor, but its claim has not been accepted by the liquidator, which is pending adjudication. An application under Section 66 of the IBC has been filed for avoidance of transaction, which has not yet been adjudicated.

In view of the consent terms, we are inclined to exercise our power under Article 142 of the Constitution of India and take the said consent terms on record. The effect thereof would be that the order of liquidation as well as the order initiating Corporate Insolvency Resolution Process shall be treated as withdrawn/recalled.

The company, namely, Virtue Infra and Entertainment Private Limited will stand revived.

The proceedings pending before the National Company Law Tribunal will be treated as disposed of.

In order to protect the claim of M/s. A.M. Patel Infrastructure Pvt. Ltd, it is given liberty to initiate proceedings as per law, including proceedings under the IBC, after issuing notice.

We clarify that we have not determined and decided any disputes *inter se* M/s. A.M. Patel Infrastructure Pvt. Ltd and M/s. Virtue Infra and Entertainment Private Limited.

The parties will be bound by the consent terms. In case of any violation of the consent terms, the parties will be entitled to invoke jurisdiction of this Court for recall of this order.

Recording the aforesaid, the appeal is disposed of.

Pending application(s), if any, including application seeking intervention shall stand disposed of.

.....J.  
(SANJIV KHANNA)

.....J.  
(SANJAY KAROL)

.....J.  
(SANJAY KUMAR)

NEW DELHI;  
JULY 11, 2024.



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A1-No. 12966  
Urgent Fee: Rs 5/-  
Certification Fee Rs 10/-  
No. of Folio 3 Rs 5  
Total Cost Rs 18  
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(b) the date given to receive copy:- 18.07.24  
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(d) the date on which the copy is received by  
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Branch Officer Krishan K.  
Supreme Court of India 18.7.24

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ITEM NO.29

COURT NO.2

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 4697/2023

AMIT AHIRRAO

Appellant(s)

VERSUS

**24037242**

ANAGHA ANASINGHARAJU &amp; ANR.

Respondent(s)

(IA No.144041/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT )

Date : 11-07-2024 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA  
HON'BLE MR. JUSTICE SANJAY KAROL  
HON'BLE MR. JUSTICE SANJAY KUMAR

*Certified to be true Copy*  
*Assistant Registrar (Judl.)*  
*18-7-2024*  
Supreme Court of India

For Appellant(s)

Mr. Rahul Chitnis, Adv.  
Mr. Shirish K. Deshpande, AOR  
Ms. Rucha Pravin Mandlik, Adv.  
Ms. Rachana S., Adv.  
Mr. Mohit Gautam, Adv.  
Mr. Apoorv Sharma, Adv.

For Respondent(s)

Mr. Sandeep Bajaj, Adv.  
Mr. Manvendra Kane, Adv.  
Mr. Akash Kakade, Adv.  
Mr. Swetab Kumar, Adv.  
Ms. Amruta Thakur, Adv.  
Mr. Somanatha Padhan, AOR

Mr. Mukesh Kumar, AOR  
Mr. Anubhav Goel, Adv.  
Ms. Preeti Goel, Adv.  
Ms. Priyanka Dhyani, Adv.


Mr. Rakesh Kumar Singh, AOR

Mr. Amit Pai, Adv.  
Mr. Siddharth S. Chapalgaonkar, Adv.  
Ms. Sneha Botwe, Adv.  
Mr. Abhiyudaya Vats, Adv.  
Mr. Vaibhav Yeshwant Kulkarni, AOR

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

The appeal is disposed of in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

  
(BABITA PANDEY)  
COURT MASTER (SH)

  
(R.S. NARAYANAN)  
ASSISTANT REGISTRAR

(Signed order is placed on the file)



A1-No 12966

Urgent Fee Rs 5/-

Certification Fee Rs 10/-

No. of Folio 2 Rs 2

Total Cost Rs 17

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Branch Officer  
Supreme Court of India

Krishnan Kr.

18-7-24

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