

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-V
(Division Bench)

Item No.-518

(IB)-264(PB)/2023

IA/4040/2024, IA/3893/2024, IA/3976/2024, IA/1640/2024, IA/1318/2024,
IA/1301/2024, IA/2850/2023, IA/2944/2023, IA/3254/2023, IA/3277/2023,
IA/3280/2023, IA/3316/2023, IA/3472/2023, IA/3481/2023, IA/3942/2023,
Int. Pet./68/2023, IA/3101/2023, IA/4361/2023, IA/5973/2023

IN THE MATTER OF:

Go Airlines (India) Limited

.....Applicant

SECTION

U/s 10 IBC

Order delivered on 10.09.2024

CORAM:

SHRI MAHENDRA KHANDELWAL,
HON'BLE MEMBER (JUDICIAL)

Dr. SANJEEV RANJAN,
HON'BLE MEMBER (TECHNICAL)

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For the Applicant	: Mr. Nimish Vakil, Mr. Pai Amit, Ms. Bhavana Duhoon, Advs. in IA/3316/2023 Mr. Vishav Bharti Gupta, Adv. in IA/3893/2024 Mr. Ameya Gokhale, Mr. Rishabh Jaisani, Mr. Harit Lakhani in IA/2944/2023, IA/3277/2023 & IA/3280/2023 Mr. Ajay Kumar, Mr. Hetram Bishnoi, Ms. Anchal Nanda, Advs. in IA/2850/2023 Mr. Naman Joshi, Ms. Ritika Vohra, Mr. Shivam Gera, Advs. in Int. Pet./68/2023 & IA/3101/2023 Mr. Sunil Fernandes, Sr. Adv. with Mr. Ashwarya Sinha, Mr. Aditya Malhotra, Ms. Diksha Dadu, Ms. Rajshree Chaudhary, Advs. in IA/4040/2024
For the Respondent	: Ms. Shiva Lakshmi, CGSC, Mr. T. Hari Hara Sudhan, Adv. for R 2 to R 4 in IA/1318/2024
For the RP	: Mr. Diwakar Maheshwari, Ms. Pratiksha Mishra, Mr. Shreyas Edupuganti, Advs.

ORDER

IA/4040/2024:-

This is an application filed under Section 60(5) of the IBC, seeking certain direction to the Resolution Professional. Heard the submissions made by the Ld. Sr. Counsel on behalf of the Applicant. Ld. Counsel on behalf of the Resolution Professional is present on the basis of advance notice and accepts notice for filing their reply to this application. Reply be filed within a period of two weeks. List this application on **15.10.2024**.

IA/3893/2024:-

Ld. Counsel on behalf of the Applicant is present. Ld. Counsel on behalf of the Resolution Professional is present and sought further time to file reply. Reply be filed within a period of two weeks. List this application on **15.10.2024**.

IA/3976/2024:-

No one is present on behalf of the Applicant at the time of hearing of the matter. Ld. Counsel on behalf of the Resolution Professional is present. In the interest of justice, list this application on **15.10.2024**.

IA/1640/2024:-

Ld. Counsel on behalf of the Applicant is present and sought further time to seek instructions from their client regarding filing of rejoinder. Ld. Counsel on behalf of the Respondent is present and their reply is also reflected on the e-portal. List this application **15.10.2024**.

IA/1318/2024:-

Ld. Counsel on behalf of the Applicant is present and submitted that in view of the order passed by the Hon'ble Delhi High Court on 26.04.2024 in W.P.(C) 6569 of 2023 and in the connected matter, this application i.e.

IA/1318/2024 has now become infructuous. Ld. Counsel on behalf of the R-3 and R-4 is present. Ld. Counsel on behalf of the Resolution Professional is present. In view of the submissions made by the Ld. Counsel on behalf of the Applicant, the present application i.e. IA/1318/2024 has now become infructuous and the same is **dismissed as infructuous.**

IA/1301/2024:-

No one is present on behalf of the Applicant at the time of hearing of the matter. It is noticed that on the last date of hearing i.e. 11.07.2024 also no one had appeared on behalf of the Applicant. Ld. Counsel on behalf of the Resolution Professional is present. The present application i.e. IA/1301/2024 is **dismissed for non-prosecution.**

IA/2850/2023:-

Ld. Counsel on behalf of the Applicant is present and Ld. Counsel on behalf of the Resolution Professional is also present. It was submitted that in view of the judgment passed by the Hon'ble Delhi High Court on 26.04.2024 in W.P.(C) 6569 of 2023 and in the connected matter, the present application i.e. IA/2850/2023 has now become infructuous and the same is **dismissed as infructuous.**

IA/2944/2023:-

This is an application filed under Section 60(5)(c) of the IBC, seeking certain directions to the Resolution Professional. Heard the submissions made by the Ld. Counsel on behalf of the Applicant and Ld. Counsel on behalf of the Resolution Professional. It was submitted that the substantial prayers made in this application are already covered in the judgment passed by the Hon'ble High Court on 26.04.2024 in W.P.(C) 6569 of 2023 and in the connected matter and therefore, there is no need for us to pass a separate order. Ld. Counsel on behalf of the Resolution Professional also submitted that necessary steps in compliance of the Hon'ble Delhi High Court have already been carried

out. In view of this nothing survive in this present application and the present application i.e. IA/2944/2023 is **disposed of**.

IA/3254/2023:-

Ld. Counsel on behalf of the Applicant is present and sought time to seek instructions from their client in respect of possession of the engine. Ld. Counsel on behalf of the Resolution Professional is present. In view of this, list this application on **15.10.2024**.

IA/3277/2023, IA/3280/2023, IA/3316/2023, IA/3472/2023 & IA/3481/2023:-

These are the applications filed under Section 60(5) of the IBC, seeking certain direction to the Resolution Professional. Heard the submissions made by the Ld. Counsels on behalf of the Applicants and Ld. Counsel on behalf of the Resolution Professional. It is brought to our notice that the substantial reliefs claimed in these applications had already been granted by the Hon'ble Delhi High Court in their judgment passed on 26.04.2024 in W.P.(C) 6569 of 2023 and in the connected matter. Since the substantial reliefs claimed in these applications have already been granted by the Hon'ble Delhi High Court, no further direction from our side is required. In view of this, these present applications i.e. IA/3277/2023, IA/3280/2023, IA/3316/2023, IA/3472/2023 & IA/3481/2023 are **disposed of**.

IA/3942/2023:-

Ld. Counsel on behalf of the Applicant (Resolution Professional) is present and sought time to seek instructions. In view of this, list this application on **15.10.2024**.

Int. Pet./68/2023 & IA/3101/2023:-

Ld. Counsels on behalf of the both the sides are present and submitted that the written submissions have been filed which are now available on the e-portal. Order in this matter is **reserved**.

IA/4361/2023:-

No one is present on behalf of the Applicant at the time of hearing of the matter. In the interest of justice, list this application on **15.10.2024**.

IA/5973/2023:-

Ld. Counsel on behalf of the Applicant (Resolution Professional) is present and sought time to seek instructions. In view of this, list this application on **15.10.2024**.

Sd/-
(Dr. SANJEEV RANJAN)
MEMBER (T)

Sd/-
(MAHENDRA KHANDELWAL)
MEMBER (J)