

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.10581 OF 2017

M/S. SYSCO INDUSTRIES LTD.

APPELLANT(S)

VERSUS

M/S. ECOPLAST LTD.

RESPONDENT(S)

O R D E R

Heard Mr. Shyam Divan, learned senior counsel for the appellant and Mr. U.K. Choudhary, learned senior counsel for respondent No.1.

Though we find that the order passed by the National Company Law Appellate Tribunal is correct, yet we think it is a fit case to exercise power under Article 142 of the Constitution and accept the settlement that has been entered into between the parties. As we are accepting the settlement, the proceeding pending before the National Company Law Tribunal shall stand disposed of.

Signature Not Verified
Digitally signed by
ASHOK RAJ SINGH
Date: 2017.08.30
16:58:53 IST
Reason: —

Needless to say the cheque that has been given by the appellant shall have to be honoured failing which the Managing Director and others shall be liable for contempt

of this Court. The present order shall not debar other creditors if they intend to proceed against the appellant.

The appeal is disposed of accordingly. There shall be no order as to costs.

.....CJI.
(DIPAK MISRA)

.....J.
(A.M.KHANWILKAR)

.....J.
(DR.D.Y.CHANDRACHUD)

NEW DELHI,
AUGUST 28, 2017.

ITEM NO.34

COURT NO.1 SECTION XVII
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).10581/2017

M/S. SYSCO INDUSTRIES LTD.

Appellant(s)

VERSUS

M/S. ECOPLAST LTD.

Respondent(s)

(IA No.74969/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.75185/2017-IA TO BRING ON RECORD THE ADDITIONAL
DOCUMENT and IA No.74967/2017-APPROPRIATE ORDERS/DIRECTIONS)

Date : 28-08-2017 This appeal was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Appellant(s)

Mr.Shyam Divan, Sr.Adv.
Mr.Ashok Kumar Jain, Adv.
Mr.Pankaj Jain, Adv.
Ms.Priyanka Das, Adv.
Mr.Bijoy Kumar Jain, Adv.

For Respondent(s)

Mr.U.K.Choudhary, Sr.Adv.
Mr.Mihir Ashok Mody, Adv.
Mr.Satyan Israni, Adv.
Mr.Sudhanshu Sikka, Adv.
Mr.Antony Alapat, Adv.
Mr.Himanshu Vij, Adv.
M/s K Ashar & Co.

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.

(Ashok Raj Singh)

Court Master

(H.S.Parasher)

Assistant Registrar

(Signed Order is placed in the file)