

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

Civil Appeal No 1142 of 2021

S S Natural Resources Private Limited

.... Appellant(s)

Versus

Ramsarup Industries Limited & Ors

....Respondent(s)

O R D E R

1 The National Company Law Tribunal¹, in the operative directions contained in its order dated 4 September 2019, has, *inter alia*, observed as follows:

- “i) The Resolution Plan of Ramsarup Industries Ltd., which is approved by the CoC with 74.41% voting share, is hereby approved under provisions of sub-section(1) of Section 31 of the Insolvency and Bankruptcy Code, 2016, which shall be binding on the Corporate Debtor, M/s. Ramsarup industries Limited, its employees, members, creditors, guarantors, the Central Government, any State Government or any local authority and other stakeholders involved in the Resolution Plan subject to the below mentioned modification.
- ii) The Resolution Plan approved by the CoC shall include the portion of security expenses incurred by the Financial Creditor/West Bengal Industrial Development Corporation

Limited(WBIDCL) which is admitted by the RP in the upfront amount payable by the Resolution Applicant to the Creditors.

iii) The Resolution Plan, shall come into force from the date of pronouncement of this order.”

- 2 The above order of the NCLT has been affirmed by the National Company Law Appellate Tribunal.
- 3 The resolution plan was approved by the Committee of Creditors in their commercial wisdom. The resolution plan has been approved by the NCLT in terms of the above directions (save and except for a minor aspect pertaining to the security expenses of West Bengal Industrial Development Corporation, on which there is no cavil or contest on either side). No substantial question of law has been raised by the appellant.
- 4 The appeal is accordingly dismissed.
- 5 Pending applications stand disposed of.

.....J.
[Dr Dhananjaya Y Chandrachud]

.....J.
[M R Shah]

New Delhi;
May 04, 2021
-S-

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

Civil Appeal No 1652 of 2021

Orissa Metaliks Private Limited

.... Appellant(s)

Versus

Kshitiz Chhawchharia and Anr

....Respondent(s)

ORDER

- 1 We are not inclined to interfere with the order of the National Company Law Appellate Tribunal dated 4 March 2021 in Company Appeal (AT) (Insolvency) 1159 of 2019.
- 2 The appeal is accordingly dismissed.
- 3 Pending application, if any, stands disposed of.

.....J.
[Dr Dhananjaya Y Chandrachud]

.....J.
[M R Shah]

**New Delhi;
May 04, 2021
-S-**

ITEM NO.21+23+24 Court 5 (Video Conferencing) 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).1142/2021

S.S. NATURAL RESOURCES PRIVATE LIMITED

Appellant(s)

VERSUS

RAMSARUP INDUSTRIES LIMITED & ORS.

Respondent(s)

(WITH I.R. and IA No.49889/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.49890/2021-STAY APPLICATION and IA No.49891/2021-APPROPRIATE ORDERS/DIRECTIONS)

WITH

C.A. No. 1652/2021 (XVII)

(WITH IA No.57251/2021-EX-PARTE AD-INTERIM RELIEF and IA No.57253/2021-EXEMPTION FROM FILING AFFIDAVIT)

C.A. No. 1693/2021

(WITH IA No.58602/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.58603/2021-STAY APPLICATION)

C.A. No. 1688/2021

(WITH IA No.58304/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.58305/2021-STAY APPLICATION)

Date : 04-05-2021 These appeals were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE M.R. SHAH

For Appellant(s)

Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Sanjay Bhatt, Adv.
Mr. Himanshu Satija, Adv.
Mr. Rohan Talwar, Adv.
Ms. Niharika Sharma, Adv.
Mr. E. C. Agrawala, AOR

Mr. Ranjit Kumar, Sr. Adv.
Mr. Manu Nair, Adv.
Mr. Siddhartha Datta, Adv.
Mr. Nitish Massey, Adv.
Ms. Suhani Dwivedi, Adv.
Mr. Neelabh Shreesh, Adv.
Mr. Deepanjan Dutta Roy, Adv.
Ms. Trisha Mukherjee, Adv.
Mr. S.S. Shroff, AOR

Mr. Rishav Banerjee, Adv.
 Mr. R.B. Phookan, Adv.
 Ms. Neha Tandon, Adv.
 Mr. Shailesh Madiyal, AOR

For Respondent(s) Mr. Shyam Divan, Sr. Adv.
 Mr. Utsav Mukherjee, Adv.
 Ms. Smriti Churiwal, Adv.
 Mr. Vinayak Bhandari, Adv.
 Mr. Jaiveer Kant, Adv.
 Ms. Deepti Babel, Adv.
 Mr. Ankit Swarup, AOR

Dr. Abhishek Manu Singhvi, Sr. Adv.
 Mr. Mahesh Agarwal, Adv.
 Mr. Sanjay Bhatt, Adv.
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 Ms. Niharika Sharma, Adv.
 Mr. E. C. Agrawala, AOR

Mr. Dinkar Singh, Adv.
 Mr. Deepak Goel, AOR

Mr. Deep Roy, Adv.
 Mr. Piyush Swami, Adv.
 Mr. Arshdeep Singh, Adv.
 Mr. Rony Oommen John, AOR

Mr. Krishnendu Dutta, Sr. dv.
 Ms. Sucharita Basu, Adv.
 Ms. Anshula Vijay Kumar Grover, AOR
 Mr. Piyush Agrawal, Adv.
 Mr. Saurobroto Dutta, Adv.
 Ms. Ranjabati Ray, Adv.

CA D 10737/21 Mr. Shatadru Chakraborty, Adv.
 Ms. Sonia Dube, Adv.
 Ms. Kanchan Yadav, Adv.
 Ms Surbhi Anand, Adv.
 for M/s. Victor Moses & Associates

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

CA Nos 1142/2021 and 1652/2021

- 1 The appeals are dismissed in terms of the signed orders.
- 2 Pending application, if any, stands disposed of.

CA Nos 1693/2021 and 1688/2021

- 1 List the appeals on 6 May 2021.
- 2 Permission granted to file an additional compilation of documents.
- 3 Civil Appeal D No 10737 of 2021 be also listed on 6 May 2021 along with the aforesaid appeals.

(SANJAY KUMAR-I)

AR-CUM-PS

(Two signed orders are placed on the file)

(SAROJ KUMARI GAUR)

COURT MASTER