

Axis Bank Limited

v.

Naren Seth & Anr.

(M.A. No. 190 of 2024)

In

(Civil Appeal No. 2085 of 2022)

19 January 2024

[Vikram Nath and Satish Chandra Sharma, JJ.]

Issue for Consideration

Application was filed by the applicant-appellant seeking clarification of the judgment reported in [2023] 14 SCR 581.

Headnotes

Insolvency and Bankruptcy Code, 2016 – Limitation Act, 1963 – Judgment reported in [2023] 14 SCR 581, corrected to an extent – Word “unsecured creditor” referred in para 20 of the judgment to be read as “secured creditor”.

Case Law Cited

Axis Bank Ltd. v. Naren Seth & Anr., [2023] 14 SCR 581 – Corrected to an extent.

List of Acts

Insolvency and Bankruptcy Code, 2016; Limitation Act, 1963

List of Keywords

Insolvency; Bankruptcy; Limitation; Clarification of judgment; Correction in judgment; Unsecured creditor; Secured creditor

Case Arising From

CIVIL APPELLATE JURISDICTION : Miscellaneous Application No.190 Of 2024

From the Judgment and Order dated 22.09.2021 of the National Company Law Appellate Tribunal, Principal Bench, New Delhi in Company Appeal (AT) (Insolvency) No.930 of 2021.

Digital Supreme Court Reports**Appearances for Parties**

Sanjiv Sen, Sr. Adv., Ujjal Banerjee, Akash Khurana, Advs. for the Appellant.

Ms. Neha Sharma, Surya Prakash, Ms. Megha Karnwal, Arjun Bhatia, Devesh Dubey, Ms. Mahima Kapur, Ms. Divya Singh Pundir, Vikas Mehta, Advs. for the Respondents.

Judgment / Order of the Supreme Court**Order**

Delay condoned.

2. This application is filed by the applicant- appellant seeking clarification of the judgment dated 12.09.2023 passed in Civil Appeal No.2085 of 2022.
3. Heard learned counsel for the parties.
4. The word “unsecured creditor” referred to in paragraph 20 of the judgment be now read as “secured creditor”.
5. Judgment dated 12.09.2023 is corrected to the above extent only.
6. Miscellaneous application is disposed of accordingly.

Headnotes prepared by: Bibhuti Bhushan Bose

Result of the case:
M.A. disposed of.