

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.9142 OF 2019

Certified to be true Copy
Assistant Registrar (Jud.)
Mahg. Jhalal 2020
Supreme Court of India

PIYUSH PERIWAL

... APPELLANT

Versus

861684

STRESSED ASSETS STABILIZATION FUND (SASF)

... RESPONDENT

O R D E R

Heard learned counsel for the parties.

It is conceded at the Bar that the date of filing of reference before BIFR has wrongly been noted as 21.02.2002 instead of 21.02.2003.

In view of the fact that the National Company Law Appellate Tribunal (for short, 'NCLAT') noted 21.02.2002 instead of 21.02.2003 while computing the limitation, we set aside the order passed by the NCLAT. We request the NCLAT to consider the matter afresh in accordance with law. All questions including the submission raised on behalf of the respondent as to effect of the earlier proceeding initiated in 2001/2002 are kept open.

The appeal stands disposed of accordingly.

.....J.
(ARUN MISHRA)

.....J.
(INDIRA BANERJEE)

Signature valid

Digitally signed by
SATHI KULDEW ADAY
Date: 2020.01.20
Reason:

NEW DELHI;
JANUARY 20, 2020.

ITEM NO.59

COURT NO.3

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).9142/2019

PIYUSH PERIWAL

Appellant(s)

VERSUS

861685

STRESSED ASSETS STABILIZATION FUND (SASF)

Respondent(s)

(FOR ADMISSION and IA No.184065/2019-EX-PARTE STAY)

Date : 20-01-2020 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MS. JUSTICE INDIRA BANERJEE

Certified to be true Copy
Assistant Registrar (Judl.)
Manish 24/01/2020
Supreme Court of India

For Appellant(s) Mr. Ranvir Singh, Adv.
Mr. Abhijeet Sarkar, Adv.
Mr. Manish Verma, Adv.
Mr. Rishi Kumar Singh Gautam, AOR

For Respondent(s) Mr. Ritin Rai, Adv.
Ms. Vaishali Sharma, Adv.
Mr. Siddhartha Barua, Adv.
Ms. Jasmine Damkewala, AOR

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

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

sd
(SATISH KUMAR YADAV)
AR-CUM-PS

ed
(JAGDISH CHANDER)
BRANCH OFFICER
(Signed order is placed on the file)