

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**Company Appeal (AT) (Insolvency) No. 643 of 2021
& I.A. No. 1700 of 2021**

IN THE MATTER OF:

Association of Aggrieved Workmen of Jet Airways (India) Ltd. ...Appellant

Versus

Jet Airways (India) Ltd. & Ors. ...Respondents

Present:

For Appellant: Mr. Siddharth Bhatnagar, Sr. Advocate with Mr. Aditya Sidhra and Mr. Swarnendu Chatterjee, Mr Yashwardhan Singh, Advocates.

For Respondents: Mr. Arun Kathpalia, Sr. Advocate with Mr. Rohan Rajadhyaksha, Ms. Aditi Bhansali, Mr. Nishant Upadhyay, Mr. Madhur Arora, Mr. Dhiraj Kumar Totala, Ms. Trisha Sarkar and Ms. Tanya Chib, Advocates for R-1 & 3.

Ms Pooja Mahajan, Ms Mahima Singh, Advocates for SRA.

Mr. Raunak Dhillon, Ms. Isha Malik and Ms. Niharika Shukla, Advocates for R-2.

Mr. K. Datta. Sr. Advocate with Mr. Rajat Sinha, Ms. Pooja Mahajan, Ms. Mahima Singh and Ms. Aveena Shrama, Advocates for R-4.

With

Company Appeal (AT) (Insolvency) No. 915 of 2021

IN THE MATTER OF:

Rohit Sharma & Ors. ...Appellants

Versus

Monitoring Committee Through ...Respondents

Cont'd.../

Ashish Chhawchharia & Ors.

Present:

For Appellant: Ms. Niddhi Khanna, Advocate

For Respondents: Mr. Arun Kathpalia, Sr. Advocate with Mr. Rohan Rajadhyaksha, Ms. Aditi Bhansali, Mr. Nishant Upadhyay, Mr. Madhur Arora, Mr. Dhiraj Kumar Totala, Ms. Trisha Sarkar and Ms. Tanya Chib, Advocates for R-1 & 3.

Mr. Raunak Dhillon, Ms. Isha Malik and Ms. Niharika Shukla, Advocates for R-2.

Mr. K. Datta. Sr. Advocate with Mr. Rajat Sinha, Ms. Pooja Mahajan, Ms. Mahima Singh and Ms. Aveena Shrama, Advocates for R-4.

With

Company Appeal (AT) (Insolvency) No. 584 of 2021
& I.A. No. 2720 of 2021

IN THE MATTER OF:

Punjab National Bank

...Appellant

Versus

Ashish Chhawchharia & Ors.

...Respondents

Present:

For Appellant: Mr Aman Lekhi, Sr Advocate, Mr Ujjwal Sinha, Mr. Ankit Seth, Mr. Ankit Raj and Mr. Piyush Beriwal, Advocates.

For Respondents: Mr. Arun Kathpalia, Sr. Advocate with Mr. Rohan Rajadhyaksha, Ms. Aditi Bhansali, Mr. Nishant Upadhyay, Mr. Madhur Arora, Mr. Dhiraj Kumar Totala, Ms. Trisha Sarkar and Ms. Tanya Chib, Advocates for R-1.

Ms. Pooja Mahajan, Ms. Mahima Singh, Ms. Arveena Sharma, Advocates for R-2/for consortium.

Mr. Balbir Singh, ASG, Mr. Arvind Pinto, Advocate (Applicant in IA 2720/2021)

**Mr. Gaurav Raj Shrawat and Ms. Bhavika Thakkar,
Intervener/ Principal Commissioner Income Tax
Central-3, Mumbai.(Inatervenor IA No.2720/2021)**

With

Company Appeal (AT) (Insolvency) No. 686 of 2021

IN THE MATTER OF:

TLD MEAI FZE

...Appellant

Versus

**Ashish Chhawchharia
Resolution Professional of Jet Airways
(India) Ltd. & Anr.**

...Respondents

Present:

**For Appellant: Mr. Kunal Mimani, Mr. Kunal Vajani and Mr.
Shubhang Tandon, Advocates.**

**For Respondents: Mr. Arun Kathpalia, Sr. Advocate with Mr. Rohan
Rajadhyaksha, Ms. Aditi Bhansali, Mr. Nishant
Upadhyay, Mr. Madhur Arora, Mr. Dhiraj Kumar
Totala, Ms. Trisha Sarkar and Ms. Tanya Chib,
Advocates for R-1.**

**Ms. Pooja Mahajan, Ms. Mahima Singh, Ms. Arveena
Sharma, Advocates for R-2.**

With

Company Appeal (AT) (Insolvency) No. 752 of 2021

IN THE MATTER OF:

**Jet Aircraft Maintenance Engineers
Welfare Association**

...Appellant

Versus

**Ashish Chhawchharia
Resolution Professional of Jet Airways
(India) Ltd. & Ors.**

...Respondents

Present:

For Appellant: Mr. Vikas Mehta, Sr. Advocate with Ms. Anshula Grover, Mr. Mayan Prasad, Advocates.

For Respondents: Mr. Arun Kathpalia, Sr. Advocate with Mr. Rohan Rajadhyaksha, Ms. Aditi Bhansali, Mr. Nishant Upadhyay, Mr. Madhur Arora, Mr. Dhiraj Kumar Totala, Ms. Trisha Sarkar and Ms. Tanya Chib, Advocates for R-1 & 3.

Mr. Raunak Dhillon, Ms. Isha Malik and Ms. Niharika Shukla, Advocates for R-2.

Mr. K. Datta. Sr. Advocate with Ms. Pooja Mahajan, Ms. Mahima Singh and Ms. Aveena Shrama, Advocates for R-3.

With

Company Appeal (AT) (Insolvency) No. 801 of 2021

IN THE MATTER OF:

Bhartiya Kamgar Sena & Anr.

...Appellants

Versus

**Ashish Chhawchharia
Resolution Professional of Jet Airways
(India) Ltd. & Ors.**

...Respondents

Present:

For Appellant: Mr. Gaurav H. Sethi, Mr. Rahul Oak and Mr. Siddhesh Shetye, Advocates.

For Respondents: Mr. Arun Kathpalia, Sr. Advocate with Mr. Rohan Rajadhyaksha, Ms. Aditi Bhansali, Mr. Nishant Upadhyay, Mr. Madhur Arora, Mr. Dhiraj Kumar Totala, Ms. Trisha Sarkar and Ms. Tanya Chib, Advocates for R-1 & 3.

Mr. Raunak Dhillon, Ms. Isha Malik and Ms. Niharika Shukla, Advocates for R-2.

Mr. K. Datta. Sr. Advocate with Mr. Rajat Sinha, Ms. Pooja Mahajan, Ms. Mahima Singh and Ms. Aveena Shrama, Advocates for R-4.

With

Company Appeal (AT) (Insolvency) No. 361 of 2022

IN THE MATTER OF:

Concor Air Ltd.

...Appellant

Versus

Ashish Chhawchharia & Anr.

...Respondents

Present:

For Appellant: Mr. Rishi K. Awasthi and Mr Sumeet raj, Advocates.

For Respondents: Mr. Malhar Zatakia, Ms. Aditi Bhansali, Mr. Nishant Upadhyay, Mr. Madhur Arora, Mr. Dhiraj Kumar Totala, Ms. Trisha Sarkar and Ms. Tanya Chib, Advocates for R-1 & 3.

ORDER
(Virtual Mode)

30.05.2022: I.A. No. 2720 of 2021 in Company Appeal (AT) Ins. No. 584 of 2021 has been filed by the Principal Commissioner Income Tax Central-3 Mumbai-Applicant.

2. Mr. Balbir Singh, Ld. ASG appearing for the Applicant refers to the Order of the Hon'ble Supreme Court dated 15.09.2021 in Civil Appeal No. 3290 of 2017 in the matter of 'Commissioner of Income Tax Vs. M/s. Jet Airways India Limited' and Order dated 16.11.2021. In view of the Orders passed by the Hon'ble Supreme Court, we permit the Applicant to intervene in this Appeal. I.A. No. 2720 of 2021 is allowed. Let the Copy of the Application be served to the Appellant as well as the Resolution Professional for response.

3. These Appeals have been filed against the Order dated 22nd June, 2021 passed by the Adjudicating Authority approving the Resolution Plan. It has been submitted before us that the effective date has been fixed as 28th May, 2022 and the process of the Implementation of the Plan have begun. Learned Counsel for the Appellant expressed their apprehension that in event their claim is allowed and the plan is implemented, their claim may not be met by the Successful Resolution Applicant. We fix these Appeals on **05th July, 2022** at **02:00 pm** and make it clear that implementation resolution plan shall abide by the result of these Appeals. Mr. Krishnendu Datta, Sr. Advocate submits that Successful Resolution Applicant shall withhold the 'BKC' Property which is valuable property and till the next date, shall not take any steps for alienation of the said property.

4. Interim Order in Company Appeal (AT) Ins. No. 686 of 2021 shall continue.

[Justice Ashok Bhushan]
Chairperson

(Shreesha Merla]
Member (Technical)

Basant/nn