

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**COMPANY PETITION NO. 21 OF 2017
WITH
COMPANY APPLICATION NO. 116 OF 2017
IN
COMPANY PETITION NO. 21 OF 2017**

HDFC Bank Ltd.	.. Petitioner
Vs.	
Sterling Biotech Limited	.. Respondent

**WITH
COMPANY PETITION NO. 217 OF 2015**

JP Morgan Chase Bank NA	.. Petitioner
Vs.	
Sterling Biotech Limited	.. Respondent

**WITH
COMPANY PETITION NO. 729 OF 2015**

Life Insurance Corporation of India	.. Petitioner
Vs.	
Sterling Biotech Limited	.. Respondent

**WITH
COMPANY APPLICATION (LODG.) NO. 199 OF 2018
IN
COMPANY PETITION NO. 729 OF 2015**

Andhra Bank	.. Petitioner
Vs.	
Sterling Biotech Limited	.. Respondent

Mr.Dharam Jumanı a/w. Ms.Namita Shetty i/b Cyril Amarchand Mangaldas
for petitioner in CP/21/2017.

Mr. Sameer Bindra i/b Juris Corp Advocates for petitioner in CP/217/2017.

Ms.Shikha Sethia i/b Radeep Lahiri i/b Singhania Legal Services for
petitioner in CP/729/2015.

Ms.Pooja Kshirsagar i/b AZB and Partners for applicant in CAL/199/2018
(Andhra Bank).

CORAM : K.R.SHRIRAM, J.

DATE : 11TH JUNE 2018

P.C.

COMPANY APPLICATION NO. 116 OF 2017

1 At the outset, Shri Jumaní appearing for HDFC Bank Limited, on instructions, states that the National Company Law Tribunal, Mumbai (NCLT) has admitted the petition filed by Andhra Bank by an order passed today, i.e., 11th June 2018 and has granted a moratorium. Shri Jumaní states HDFC Limited will file an application for transfer of their petition to NCLT so that NCLT may consider that petition as an application for initiation of corporate insolvency resolution process under the Insolvency and Bankruptcy Code, 2016. Ms.Kshirsagar for applicant in Company Application (Lodg.) No.199 of 2018 in Company Petition No.729 of 2015 states that the question of NCLT considering the petition as application for initiation of corporate insolvency under the Insolvency and Bankruptcy Code does not arise because Andhra Bank petition has already been admitted by NCLT and it would serve no purpose in filing such application for transferring the petition. Shri Jumaní states that he will file the formal application and the Court may pass appropriate directions.

COMPANY PETITION NO. 729 OF 2015

2 Ms.Sethia appearing for petitioner seeks leave to withdraw this petition with liberty to pursue petitioner's claim with the Interim

Resolution Professional (IRP). The IRP to consider the same in accordance with law.

3 Petition dismissed as withdrawn with liberty as sought.

COMPANY PETITION NO. 217 OF 2015

4 Shri Bindra appearing for petitioner states that petitioner will file a transfer application similar to the one suggested by Shri Jumaní above. Ms.Kshirsagar states that her submissions are the same as made in HDFC petition, i.e., Company Petition No.21 of 2017.

**COMPANY APPLICATION NO.116 OF 2018
IN
COMPANY PETITION NO.21 OF 2017**

5 In view of the order passed by NCLT, Shri Jumaní states nothing survives in this application and seeks leave to withdraw the application.

Company application dismissed as withdrawn.

6 Company Petition No.21 of 2017 and Company Application (Lodg.) No.199 of 2018 in Company Petition No.217 of 2015 be listed on 18th June 2018.

All office objections to be removed and application to be numbered before the next date.

(K.R. SHRIRAM, J.)