

ITEM NO.15                      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  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s).3045/2020

TATA CONSULTANCY SERVICES LIMITED                      Appellant(s)

VERSUS

VISHAL GHISULAL JAIN                      Respondent(s)

(WITH IA No.85273/2020-EX-PARTE STAY )

Date : 20-11-2020 This appeal was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MS. JUSTICE INDU MALHOTRA

For Appellant(s)                      Ms. Fereshte D. Sethna, Adv.  
   Ms. Anuradha Dutt, Adv.  
   Ms. Suman Yadav, Adv.  
   Mr. Aditya Sarin, Adv.  
   Ms. Aboli Mandlik, Adv.  
   Ms. B. Vijayalakshmi Menon, AOR

For Respondent(s)

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

- 1 Ms Fereshte D Sethna, learned counsel appearing on behalf of the appellant, submits that there is a misreading of the provisions of Section 14 of the Insolvency and Bankruptcy Code 2016 by the National Company Law Tribunal and National Company Law Appellate Tribunal. It has been submitted that Section 14 relates to the provision of essential goods or services to the corporate debtor once a moratorium is issued. In the present case, the appellant was availing of the business premises provided by the corporate debtor, to which (it has been urged) the mandate of Section 14 has no application

- 2 Issue notice, returnable in eight weeks.
- 3 Dasti, in addition, is permitted.
- 5 Pending further orders, there shall be an *ad-interim* stay of the operation of the impugned judgment and order of the National Company Law Appellate Tribunal dated 24 June 2020 in Company Appeal (AT)(Insolvency) No 237 of 2020.

**(SANJAY KUMAR-I)**  
**AR-CUM-PS**

**(SAROJ KUMARI GAUR)**  
**COURT MASTER**