Claim No: CFI 047/2020

THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF FIRST INSTANCE

BETWEEN

STATE BANK OF INDIA (DIFC BRANCH)

Claimant

and

(1) NMC HEALTHCARE LLC
(2) NMC SPECIALITY HOSPITAL LLC
(3) NEW MEDICAL CENTRE LLC
(4) NEW MEDICAL CENTRE SPECIALITY HOSPITAL AL AIN
(5) MR. BAVAGUTHU RAGHURAM SHETTY

Defendants

CONSENT ORDER

UPON the Claimant filing a Claim Form on 7 June 2020 and an Amended Claim Form on 14 June 2020

AND UPON the Claim Form being served in accordance with the Rules of the DIFC Court on the First and Third Defendants only

AND UPON the Third Defendant filing an Acknowledgment of Service on 8 July 2020

AND UPON the First Defendant filing an Acknowledgment of Service on 6 August 2020

AND UPON Parties agreeing to a 28-day extension pursuant to Rule 16.11 of the Rules of the DIFC Court (**"RDC"**) in which the Third Defendant is to file its Defence by 4pm on 10 September 2020

AND UPON the deadline for which the First Defendant should file its Defence being 7 October 2020

AND UPON the filing of a consent order on 8 September 2020 providing the Third Defendant with an extension to the date in which to file its Defence to 8 October 2020

AND UPON the First and Third Defendants filing a letter application on 23 September 2020 (**"Stay Application"**)

AND UPON the Court issuing directions in response to the Stay Application on 6 October 2020

AND UPON a Consent Order being issued on 22 October 2020 extending the deadline for which the First and Third Defendants should file their Defence and directing that the date in which the First and Third Defendant should file their Defence is to be agreed by the Parties and conveyed to the Court within five (5) days of the Courts' Order with regards to the Defendants' Stay Application, if a stay of proceedings has not imposed by the Court

AND UPON the First and Third Defendants being continued into the Abu Dhabi General Market (**"ADGM"**) as NMC Healthcare LTD and New Medical Centre LTD respectively and an administration order being issued by the ADGM Courts on 27 September 2020 in relation to, inter alia, the First and Third Defendants (the **"Administration Order"**) and Mr Benjamin Cairns and Mr Richard Fleming of Alvarez & Marsal Europe LLP being appointed joint administrators (the **"Joint Administrators"**)

AND UPON the Joint Administrators filing an application for recognition of the Administration Order in the DIFC Courts on 20 October 2020 under DIFC Court Claim No CFI-090-2020 (the **"Recognition Application"**)

AND UPON the Court issuing an Order dated 3 November 2020 directing that the Stay Application will be adjourned pending the Court's determination of the Recognition Application, or adjourned to the first available date after 26 November 2020 if the Recognition Application has not been given a fixed hearing date by 26 November 2020

AND UPON the Recognition Application being heard before Justice Martin in the DIFC Court on 10 November 2020, and the Judge directing, inter alia, that the Joint Administrators shall be entitled to the active assistance of the DIFC Courts in carrying out their functions as administrators

AND UPON the Claimant and the First and Third Defendants having agreed to the terms set forth

IT IS HEREBY ORDERED BY CONSENT THAT:

1. There will be an interim stay of these proceedings until an event occurs signifying the end of the administrations of the Defendants in the ADGM.

2. Liberty to apply.

3. Costs in the case.

4. "The Defendants or the Joint Administrators must take all reasonable steps to notify the Claimant within 7 days of the administration ending"

Issued by:
Nour Hineidi
Registrar
Date of issue: 25 November 2020
At:1pm