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

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

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

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

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"**)

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"**)

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.

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 as against the First and Third Defendants. The interim stay will remain in place as against the First and Third Defendants until the administration proceedings in the ADGM are brought to an end as against the First and Third Defendants in accordance with the provisions of the ADGM Insolvency Regulations (2015) (as in force from time to time).

2. In the event that the administration proceedings are brought to an end / the Joint Administrators' appointment ceases to have effect / the Joint Administrators are removed from office (in respect of the First and/or the Third Defendant), the Joint Administrators shall comply with the notification provisions set out in the ADGM Insolvency Regulations (2015) (as in force from time to time) and shall in any event notify the Claimant of the end of the administration or cessation of their appointment as soon as practicable.

3. Liberty to apply

4. Costs in the case

Issued by:
Nour Hineidi
Registrar
Date of issue: 6 December 2020
At:1pm