

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Ins) No.1097 of 2020

IN THE MATTER OF:

Committee of Creditors of M/s KSK **...Appellant**
Mahanadi Power Company Ltd. through
Power Finance Corporation Ltd.

Versus

KSK Mahanadi Power Company Ltd. through **...Respondent**
Its Resolution Professional, Sumit Binani

For Appellant: **Shri Ramji Srinivasan, Sr. Advocate with Shri Bishwajit Dubey, Shri Spandan Biswal, Ms. Srideepa Bhattacharyya and Ms. Sanskriti Sidana, Advocates**

For Respondent: **Shri Sumesh Dhawan, Shri Anoop Rawat, Shri Vijayant Paliwal and Ms. Charu Bansal, Advocates**
Ms. Zeeshan Khan, Advocate

With

Company Appeal (AT) (Ins) No.1116 of 2020

IN THE MATTER OF:

Sumit Binani **...Appellant**
Resolution Professional of
KSK Mahanadi Power Company Ltd.

Versus

Power Finance Corporation Ltd. **...Respondent**

For Appellant: **Shri Sumesh Dhawan, Shri Anoop Rawat, Shri Vijayant Paliwal and Ms. Charu Bansal, Advocates**
Ms. Zeeshan Khan, Advocate

For Respondent: **Shri Ramji Srinivasan, Sr. Advocate with Shri Bishwajit Dubey, Shri Spandan Biswal, Ms. Srideepa Bhattacharyya and Ms. Sanskriti Sidana, Advocates**

Company Appeals (AT) (Ins) Nos.1097, 1116 and 1127 of 2020

With

Company Appeal (AT) (Ins) No.1127 of 2020

IN THE MATTER OF:

Punjab National Bank

...Appellant

Versus

KSK Water Infrastructure Pvt. Ltd.

...Respondent

For Appellant: Shri Bishwajit Dubey, Shri Spandan Biswal, Ms. Srideepa Bhattacharyya and Ms. Sanskriti Sidana, Advocates

For Respondent: Shri R.S. Sravan Kumar (for RP)

ORDER
(Virtual Mode)

08.04.2021 The learned Counsel for parties submit that in the matter, after consolidation request has been rejected, Punjab National Bank has done e-filing of an Appeal. The same is yet to be registered. It is stated that it would be necessary that the said Appeal also should get clubbed with the present Appeals for considering further steps. The Appellant in Company Appeal (AT) (Ins) No.1127 of 2020 may take necessary steps.

Learned Advocate Shri Sumesh Dhawan submits that the interim Order passed in Company Appeal (AT) (Ins) No.1097 of 2020 is stayed. The Impugned Order in Company Appeal (AT) (Ins) No.1097 of 2020 may be clarified so that the Resolution Professional can continue with the CIRP (Corporate Insolvency Resolution Process) which is pending. The learned Senior Advocate Shri Ramji Srinivasan does not object to such clarification.

We make it clear that the Resolution Professional in Company Appeal (AT) (Ins) No.1116 of 2020 may continue with the CIRP as per law and an interim Order as passed in Company Appeal (AT) (Ins) No.1097 of 2020 will not come in his way.

List these Appeals in 'Orders' category on 19th April, 2021.

[Justice A.I.S. Cheema]
Member (Judicial)

[Dr. Alok Srivastava]
Member (Technical)

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