NATIONAL COMPANY LAW APPELLATE TRIBUNAL <u>NEW DELHI</u>

Company Appeal (AT) (Ins) No.301 of 2021

IN THE MATTER OF:

Gurudeo Exports Corporation Pvt. Ltd. & Ors.Appellants

Versus

Akash Singhal...RespondentsLiquidator of Amira Pure Foods Pvt Ltd.and Anr.

For Appellants:Shri Krishnendu Datta, Sr. Advocate with Shri
Rahul Gupta, AdvocateFor Respondents:Shri R.K. Gupta, Advocate (R-1 & 2)

<u>ORDER</u> (Virtual Mode)

12.04.2021 Heard. Issue Notice. Advocate Shri R.K. Gupta appears on behalf of Respondents 1 and 2. Formal service of Notice is dispensed with.

Respondents may file Reply within two weeks. Rejoinder, if any, may be filed within a week thereafter.

Parties may file brief written submissions not more than three pages and copies of Judgements they want refer and rely on, within three weeks.

Learned Senior Counsel for the Appellants submits that the rice concerned is set to be auctioned in liquidation on 16th April, 2021. Considering the fact that it is rice and already Reports on the basis of which the Appellants claim identification of the concerned stock, are already on record, we do not think it appropriate to stay the auction, inter alia, considering the fact that it is perishable goods. The Liquidator will, however,

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keep the proportionate amount on this count from the auction in a separate interest bearing account till the Appeal is decided.

List the Appeal 'for admission (after Notice) hearing' on 20th May, 2021.

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

[Dr. Alok Srivastava] Member (Technical)

rs/md

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