

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 982 of 2020

In the matter of:

Sudhir Narayanrao Modak & Ors.

....Appellants

Vs.

SMS Paryavaran Ltd. & Ors.

....Respondents

Present:

**Appellants: Mr. Aditya Dewan and Mr. Siddharth Checani,
Advocates**

**Respondents: Mr. Ankur Mittal and Ms. Meera Murali, Advocates for
CoC**

ORDER

(Through Virtual Mode)

18.11.2020: After hearing learned counsel for the Appellants, we find that the Appellants, despite being provided opportunity to submit the Resolution Plan in respect of Corporate Insolvency Resolution Process of the Corporate Debtor within the prescribed timelines not only failed to submit such plan and also failed to submit EMD along with the plan within the extended period. No fault can be found with the impugned order dismissing the application in this factual backdrop.

The appeal being devoid of merit is accordingly dismissed.

**[Justice Bansi Lal Bhat]
Acting Chairperson**

**[Justice Anant Bijay Singh]
Member (Judicial)**

**[Dr. Ashok Kumar Mishra]
Member (Technical)**

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