

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL**  
**PRINCIPAL BENCH, NEW DELHI**

**Company Appeal (AT) (Insolvency) No. 252 of 2021**

**IN THE MATTER OF:**

**Saurabh Bhuta**

**...Appellant**

**Versus**

**Edelweiss Asset Reconstruction Company Ltd. & Anr.**

**...Respondents**

**Present:**

**For Appellant: Mr. Ashish Dholakia, Sr. Advocate with Mr. Manikya Khanna, Mr. Aditya Krishna and Mr. Pratyaksh Sharma, Advocates.**

**For Respondents: Mr. Venkatesh Dhondh, Sr. Advocate with Mr. Avinav Mukherjee, Mr. Rushil Mathur and Mr. Prem Prakash Kanwer, Advocates for R-1.**

**O R D E R**  
**(Through Virtual Mode)**

**31.03.2021:** The issue raised in this appeal preferred against admission of application under Section 7 of I&B Code in terms of order dated 5<sup>th</sup> March, 2021 is that the claim was barred by limitation and the application was not maintainable.

Issue notice upon Respondent. Requisites alongwith email address and mobile phone number of the Respondent may be provided by the Appellant within two days. Notice be served through any available mode.

Notice on behalf of Respondent No. 1 is waived and accepted by Mr. Avinav Mukherjee, Advocate appearing alongwith Mr. Venkatesh Dhondh, learned senior

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counsel. No further notice needs to be served upon Respondent No.1. Notice to be served on Respondent No. 2 only. Respondent No. 2 being Corporate Debtor be served through Interim Resolution Professional. Appellant may carry out necessary corrections in the particulars of Respondent No. 2 indicating that the same is being represented by the Interim Resolution Professional and adding particulars of Interim Resolution Professional.

Respondent No. 1 may file reply affidavit within two weeks. Rejoinder thereto, if any, may be filed by the Appellant within two weeks thereof. Short written submissions, not exceeding three pages, together with compilation of relevant judgments may also be filed alongwith the pleadings.

Post the matter 'for admission (after notice)' on **30<sup>th</sup> April, 2021**.

Notice as above in I.A. No. 578 of 2021.

I.A. No. 579 of 2021 is disposed of with direction to the Appellant to file certified copy of impugned order within one week of same being made available to the Appellant. Dim or illegible copies may also be replaced with legible copies before next date of hearing.

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

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

*am/gc*

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