

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 1073 of 2019

IN THE MATTER OF:

K.K. Kadri Paper Mills Pvt. Ltd.

...Appellant

Versus

**Edelweiss Asset Reconstruction
Co. Limited**

...Respondent

Present:

For Appellant : **Mr. Ramesh Kumar Mishra and Ms. Manasvi Thapar,
Advocates**

For Respondent: **Though present, not marked appearance**

ORDER

03.12.2019 The present appeal has been preferred by 'K.K. Kadri Paper Mills Private Limited' (Corporate Debtor). The appeal is not maintainable at the instance of the 'Corporate Debtor' in view of the decision of Hon'ble Supreme Court in "*Innoventive Industries Ltd. v. ICICI Bank (2018) 1 SCC 407*" (Para 11). On the request of the learned counsel for the Appellant we allow the Appellant a week's time to file an application for substitution by substituting one of the Shareholder/Director as appellant and transpose the Corporate Debtor through Interim Resolution Professional as 2nd respondent.

Post the case 'for orders' on **11th December, 2019**. The appeal may be disposed of on the next date.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansilal Bhat]
Member (Judicial)

[Justice Venugopal M.]
Member (Judicial)

/ns/sk