

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 434 of 2020

IN THE MATTER OF:

Anirudh Kumar

...Appellant

Vs.

IBM India Pvt. Ltd.

...Respondent

Present: For Appellant: - Mr. Krishnendu Datta, Mr. Ashok Kr. Anchalia, Mr. Ketan Madan and Mr. Himanshu Harbola, Advocates.

For Respondent: - None

O R D E R

17.03.2020— Apart from the other issues, the projected status of the Respondent as a 'Financial Creditor' is questioned through the medium of this appeal.

Let notice be issued on Respondent by speed post. Requisite along with process fee be filed by 18th March, 2020. If the Appellant provides the e-mail address of Respondent, let notice be also issued through e-mail.

List the appeal 'for admission (after notice)' on 17th April, 2020.

In the meantime, the 'Interim Resolution Professional' will ensure that the company remains going concern and will take assistance of the (suspended) Board of Directors and the officers/ Directors/employees. The person who is authorised to sign the bank cheques may issue cheques but only after approval of the 'Interim Resolution Professional'.

Contd/-.....

The bank account of the 'Corporate Debtor' be allowed to be operated for day-to-day functioning of the company such as for payment of current bills of the suppliers, salaries and wages of the employees'/workmen electricity bills etc.

[Justice Bansi Lal Bhat]
Acting Chairperson

[Justice Anant Bijay Singh]
Member(Judicial)

[Shreesha Merla]
Member(Technical)

Ar/G