

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 160 of 2021

In the matter of:

PLBB Products Pvt. Ltd.Appellant

Vs.

Piyush Periwal & Ors.Respondents

Present:

Appellant: Mr. Abhijeet Sinha, Mr. Lzafeer Ahmad BF, Mr. Aditya Shukla, Mr. Manan Shishodia and Mr. Ajay Arun Sharma, Advocates.

**Respondent: Mr. Abhijit Sarkar, Advocate for R-1.
M. Sidhartha Barua and Mr. Praful Jindal, Advocates for R-2.**

Mr. Anand Varma and Mr. Abhishek Prasad and Mr. Sandeep Khaitan, Advocates for R-3.

O R D E R
(Through Virtual Mode)

03.03.2021: Mr. Abhijeet Sinha, learned Counsel for the Appellant submits that judgment rendered by the Hon'ble Apex Court in Manish Kumar Agarwal vs. Union of India and by this Appellate Tribunal in Kalinga Allied Industries India Pvt Ltd VS Hindustan Coils Ltd & Ors. in Company Appeal (AT) (Insolvency) No. 518 of 2020 decided on 11th January, 2021 has bearing on the issue raised in this Appeal.

In view of the issue raised, let notice be issued to the Respondents. Notice on behalf of Respondent No.1 is waived and accepted by Mr. Abhijit Sarkar, Advocate. Notice on behalf of Respondent No.2 is waived and accepted by Mr. Sidhartha Barua, Advocate. Mr. Anand Varma waives and accepts notice on behalf of Respondent No.3. Service is complete.

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Learned Counsel for Respondent Nos.1 and 2 may file short reply affidavits within 10 days. Rejoinder, if any thereto, may be filed within 10 days thereof. Respondent No.3 may file Status Report in regard to CIRP. Short written submissions not more than three pages supported by compilation of relevant judgments may be filed along with pleadings.

Meanwhile, as an ad interim the direction given in Clauses-4 and 5 of the operative part (order) shall remain on hold till the next date of hearing.

List the matter 'for admission (after notice)' on **5th April, 2021**.

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

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

Ash/GC

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