

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**  
**Company Appeal (AT) (Insolvency) No. 983 of 2020**

**In the matter of:**

**Ramkrishna Electricals Ltd.**

**....Appellant**

**Vs.**

**Atul Rajwadkar & Ors.**

**....Respondents**

**Present:**

**Appellant: Ms. Meghna Rao, Mr. Sumesh Dhawan, Ms. Vatsala Kak, Mr. Samir Ariswala and Ms. Geetika Sharma, Advocates.**

**Respondents: Mr. Sandeep Bajaj and Ms. Aakanksha Nehra, Advocates (Caveator)**

**ORDER**

**(Through Virtual Mode)**

**19.11.2020:** The appeal has been filed after 15 days beyond the extended period of 45 days. However, taking into account the fact that the lockdown was imposed on 23<sup>rd</sup> March, 2020 in the wake of outbreak of COVID-19 and in terms of order passed in *suo moto* proceedings by this Appellate Tribunal directing suspension of limitation, which is still in force, delay in preferring the appeal is hereby condoned. I.A. No. 2690 of 2020 stands disposed of.

The issue raised in this appeal is that the Appellant received money from the Corporate Debtor in ordinary course of business and no intention to defraud would be attributed to him as he had no knowledge of the Corporate Debtor being under Corporate Insolvency Resolution Process.

Contd/-.....

Issue notice upon Respondents. Appellant to provide mobile Nos./ e-mail address of the Respondents during the course of the day. Notice be issued through e-mail or any other available mode. Requisites along with process fee be filed within three days.

Notice on behalf of Respondent No.1 is waived and accepted by Mr. Sandeep Bajaj. No further notice need be issued to him. Caveat stands discharged. He may file reply affidavit within two weeks. Rejoinder, if any, be filed within one week thereof.

List the appeal on 17<sup>th</sup> December, 2020.

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

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

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

*AR/g*