

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 558 of 2019

IN THE MATTER OF:

Shyam Sunder Bhatiya

...Appellant

Vs

Khozim Yusuf Nagarwala & Anr.

...Respondents

Present:

**For Appellant: Dr. Amit George and Mr. Swaroop George,
Advocates.**

**For Respondents: Mr. Gautam Singh, Advocate for Financial
Creditor.**

**Mr. Amol Vyas, Advocate for RP with Mr. Satyendra
P. Khorania, RP.**

ORDER

23.08.2019: In spite of direction by order dated 23rd May, 2019, the Appellant has not arrayed the Corporate Debtor as Respondent no. 2. Direction was to array the Corporate Debtor through Interim Resolution Professional and not the Resolution Professional individually. Counsel states that now Resolution Professional is there. The counsel for the Appellant will correct the Memo of Parties, today to array Respondent No. 2 as Corporate Debtor through Resolution Professional.

The Appellant has claimed that the Respondent No. 1 claiming to be Financial Creditor filed Section 7 petition and in the claim mixed parts of financial debt and operational debt. It is stated that dues were paid. He states that he will prepare a chart showing separately what is the financial debt

and what is the operational debt claimed and keep it ready on next date. Learned counsel for Respondent No. 1 also says that he will also prepare and keep ready the chart showing as to what is financial debt and what is operational debt.

List the appeal on **19th September, 2019.**

[Justice A. I. S. Cheema]
Member (Judicial)

[Justice Bansi Lal Bhat]
Member (Judicial)

(Kanthi Narahari)
Member (Technical)

am/gc