

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 265 of 2020

In the matter of:

**M/s. Ankit International
Sole Proprietorship of Arun Jain**

....Appellants

Vs.

**Unitech Machines Ltd. Through
Resolution Professional
Mr. Vivek Raheja & Anr.**

....Respondents

Present:

**Appellants: Mr. Krishnendu Datta, Mr. Ashish Verma and Mr.
Rahul Gupta, Advocates**

ORDER

12.02.2020: The Appellant – ‘M/S Ankit International’ who is the Resolution Applicant and had submitted its resolution plan is aggrieved of the impugned order dated 29th January, 2020 by virtue of which the Adjudicating Authority(National Company Law Tribunal) Principal Bench, New Delhi dismissed the application of Appellant seeking consideration of the ‘revised resolution plan’ by the ‘Committee of Creditors’ on the ground that the ‘Committee of Creditors’ had not found the ‘resolution plan’ viable and have passed the resolution for ‘Liquidation’. Learned counsel for the Appellant submits that the Appellant had submitted the ‘revised resolution plan’ within the statutory ‘Corporate Insolvency Resolution Process’ time period and recommendation for ‘Liquidation’ of Corporate Debtor could not be made by ‘Committee of Creditors’ without consideration of such revised plan.

Let notice be issued on the Respondents by Speed Post. Requisites along with process fee be filed by 13th February, 2020. If the Appellant provides the *e-mail* address of respondents, let notice be also issued through *e-mail*.

Post the case 'for Admission (After Notice)' on 2nd March, 2020.

As an ad-interim, it is directed that the Adjudicating Authority will not pass any liquidation order till the next date.

[Justice Bansi Lal Bhat]
Member (Judicial)

[V. P. Singh]
Member (Technical)

ns/sr/nn