

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) (Insolvency) No. 224 of 2021

IN THE MATTER OF:

Vivek Malik
Suspended Director of Amzen Machines Pvt. Ltd. **...Appellant**

Versus

Punjab National Bank & Anr. **...Respondents**

Present:

For Appellant: Mr. Abhijeet Sinha, Ms. Varsha Banerjee and Mr. Mukund Rawat, Advocates.

For Respondents: Mr. Sharad Rajwanshi, Advocate with Mr. Anurag Goel, IRP in person for R-2.

O R D E R
(Through Virtual Mode)

22.03.2021: The issue raised in this appeal against admission of application under Section 7 of the I&B Code by virtue of impugned order dated 11th March, 2021 passed by the Adjudicating Authority (National Company Law Tribunal) Division Bench, New Delhi, Court – III is that the claim was barred by limitation as the account of Corporate Debtor had been classified as NPA on 15th March, 2016 and limitation would not extend even with acknowledgment as the date of default would not shift.

Issue notice upon Respondents. Notice on behalf of Respondent No. 2 is waived and accepted by Shri Sharad Rajwanshi, Advocate. No further notice need to be issued to Respondent No. 2. Notice will go to Respondent No. 1 only.

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Requisites along with process fee and mobile Nos./e-mail address of the Respondent No. 1 be filed by the Appellant within two days. Notice be issued through e-mail or any other available mode. Respondent No. 2 may file Status Report within two weeks.

Learned counsel for Respondent No. 2 submits that some of the pages of the appeal paper book provided to him are illegible. Appellant to provide complete set of legible paper book to learned counsel for Respondent No.2 during the course of the day.

I.A. No. 510 of 2021 is disposed off with direction to the Appellant to provide legible copies of Annexures within three days.

I.A. No. 511 of 2021 is disposed off with direction to the Appellant to provide certified copy of the impugned order within one week of same being made available to the Appellant.

Post the matter 'for admission (after notice)' on **13th April, 2021**.

Notice as above. Meanwhile as an ad-interim it is directed that Committee of Creditors shall not be constituted till next date of hearing. I.A. No. 509 of 2021 stands disposed off.

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

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

am/gc

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