

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal(AT) (Insolvency) No. 1020 of 2019

IN THE MATTER OF:

Ankit Goyat

...Appellant

Vs

Sunita Agarwal & Anr.

....Respondents

Present:

For Appellant: None.

For Respondents: None for Respondent No. 1.

Mr. Vinod Chaurasia, Advocate for IRP

O R D E R

19.03.2020 There is no representation on the side of the Appellant as well as on the side of the 1st Respondent at the time of calling of the matter at around 11:55 AM. However, on behalf of the Respondent No. 2, Interim Resolution Professional (in short '**IRP**'), Mr. Vinod Chaurasia, the Learned Counsel is present and informs this Tribunal that the Appellant was directed by this Tribunal on 19.11.2019 to hand over possession of documents to him, but the Appellant had not handed over possession of documents till date. Further, according to IRP, there is no land for the project.

It transpires that on 01.10.2019, this Tribunal, inter alia, had passed an order stating that "*In the meantime, the 'Interim Resolution Professional' will not constitute the 'Committee of Creditors', if not yet constituted*"

Also, it is represented on behalf of 2nd Respondent, IRP that till date 'Committee of Creditors' is not yet constituted. Since there is no possibility of

settlement in the subject matter during the course of next date of hearing, the feasibility of constitution of 'Committee of Creditors' will be considered.

The Office of the Registry is directed to list the matter on **9th April, 2020** under the caption 'For Admission (After Notice)'.

Further, the Learned Counsel for 2nd Respondent is directed to file an updated 'Status Report' covering the aspect of not handing over the possession of documents by the Appellant.

[Justice Venugopal M.]
Member (Judicial)

(Kanthi Narahari)
Member(Technical)

Akc/Nn