

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 415 of 2020

In the matter of:

Naresh Sevantilal Shah

.....Appellant

Versus

Malharshanti Enterprises & Anr.

.....Respondents

Present:

**For Appellant:- Mr. Varun Varma, Mr. Deepak Joshi and
Mr. Amir Arsiwala, Advocates**

**For Respondents :- Mr. Kartik Sethi, Advocate for R-1.
Mr. Dhaval Deshpande, Advocate for R-2.
Mr. Yash Jariwala, Advocate for R-2 (RP)**

ORDER
(VIRTUAL MODE)

17.09.2020- The Learned Counsel for the Respondent submits that he has been appointed as 'Resolution Professional'. Therefore, he may be substituted as Respondent No. 2 in the Appeal.

Learned Counsel for the Appellant submits that the Respondent No. 1 has not filed the 'Reply Affidavit' in time frame.

Learned Counsel for the Respondent No. 1 submits that the Appellant has to spend some time from obtaining the relevant documents from the Tribunal, therefore, he could not file the 'Reply-Affidavit' in time. However, he prays that the Reply – Affidavit may be taken on record.

After due consideration, the 'Reply Affidavit' is filed by the Respondent No. 1 taken on record.

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The Learned Counsel for the Appellant seeks time to file Rejoinder and also an Application for substituting 'Resolution Professional' as Respondent No. 2. He is allowed to file the same till 21st September, 2020.

Let the Appeal be fixed 'For Hearing' on **25th September, 2020**.

Interim Order shall continue till the next date of hearing.

(Justice Jarat Kumar Jain)
Member (Judicial)

(Balvinder Singh)
Member (Technical)

SC/Kam

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