

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Comp. App. (AT) (Insolvency) No. 348 of 2020

IN THE MATTER OF:

Jayanta Banerjee

...Appellant

Versus

Shashi Agarwal,

Liquidator of INCAB Industries Ltd. & Anr.

...Respondents

Present:

For Appellant :

Mr. Rishav Banerjee, Mr. Avishek Das, Ms. Arushi Mishra and Mr. Ritoben Sarkar, Advocates

For Respondents :

Mr. Kumar Anurag Singh, Mr. Anando Mukherjee and Mr. Zain A. Khan, Advocates for Liquidator Mr. Rudreshwar Singh and Mr. Gautam Singh, Advocates for Committee of Creditors Mr. Sanjib Kumar Mohanty, Mr. Akhilesh Shrivastava and Mr. P.S. Chandralekha, Advocates for intervener

Comp. App. (AT) (Insolvency) No. 720 of 2020

IN THE MATTER OF:

Bhagwati Singh

...Appellant

Versus

INCAB Industries Ltd.

...Respondent

Present:

For Appellant :

Mr. Sanjib Kumar Mohanty, Mr. Akhilesh Shrivastava, Mr. Akash Sharma and Ms. P.S. Chandralekha, Advocates

For Respondent :

Mr. Kumar Anurag Singh, Mr. Anando Mukherjee and Mr. Zain A. Khan, Advocates for Liquidator

O R D E R

(Through Virtual Mode)

28.09.2020

Reply-affidavit filed on behalf of Respondent No. 2 has been taken on record. Learned counsel for Respondent No. 1 seeks and is permitted extension of time by two weeks to file reply-affidavit.

In '*Company Appeal (AT) (Insolvency) No. 720 of 2020*', 'Committee of Creditors' (CoC) is not a party-respondent though the same impugned order has also been assailed in '*Company Appeal (AT) (Insolvency) No. 348 of 2020*' wherein 'CoC' is a party. In the given circumstances, we direct impleadment of 'CoC' as party Respondent No. 2 in '*Company Appeal (AT) (Insolvency) No. 720 of 2020*'. Learned counsel for the Appellant is directed to carry out necessary corrections in the cause-title and relevant pages in '*Company Appeal (AT) (Insolvency) No. 720 of 2020*'. Mr. Rudreshwar Singh, Advocate waived and accepted notice on behalf of the 'CoC'. He may file reply-affidavit within two weeks. In both the appeals, learned counsel for the Appellant does not intend to file rejoinder. Learned counsels for the parties may also file their short written submissions, not exceeding three pages, along with their pleadings or within two weeks, whichever is applicable.

List both the appeals 'for Admission (After Notice)' on **6th November, 2020**.

[Justice Bansi Lal Bhat]
Acting Chairperson

[Justice Jarat Kumar Jain]
Member (Judicial)

/ns/gc/