

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Company Appeal (AT) (Insolvency) No. 63 of 2020**

**IN THE MATTER OF:**

**Ms. Rita Dixit**

**...Appellant**

**Vs.**

**Sh. Dharendra Nath & Ors.**

**...Respondents**

**Present: For Appellant: - present but not marked attendance**

**For Respondents:- Mr. Vaibhav Tyagi and Mr. S.K. Nanda  
and Mr. Kunal Bawa, Advocates.**

**O R D E R**

**22.01.2020—** A decision has been rendered by this Appellate Tribunal in "**Navin Raheja v. Shilpa Jain & Ors.— Company Appeal (AT) (Insolvency) No. 864 of 2019**" today. Counsel for the Appellant wants to rely on the same. The parties are allowed to go through the Judgment and address the issue.

Mr. Vaibhav Tyagi, Advocate appears on behalf of 1<sup>st</sup> to 6<sup>th</sup> Respondents. No further notice need be issued to them. They may file their reply-affidavits along with Vakalatnama within a week. Rejoinder, if any, be filed within a week thereof.

Let notice be issued on 7<sup>th</sup> Respondent by speed post. Requisite along with process fee, if not filed, be filed by 23<sup>rd</sup> January, 2020. If the Appellant provides the e-mail address of 7<sup>th</sup> Respondent, let notice be also issued through e-mail.

Contd/-.....

Learned counsel for the Appellant will inform this order to the 'Interim Resolution Professional'.

Post the case 'for orders' on 18<sup>th</sup> February, 2020. The appeal may be disposed of at the stage of admission.

In the meantime, the Appellant/ Promoters of the 'Corporate Debtor' are directed to handover the assets and records of the 'Corporate Debtor' to the 'Interim Resolution Professional' immediately. The 'Interim Resolution Professional' will ensure that the company remains going concern and will take assistance of the (suspended) Board of Directors and the officers/ Directors/employees. The person who are working will perform their duties including the paid Directors. The person who is authorised to sign the bank cheques may sign cheques only after authorisation of the 'Interim Resolution Professional' with counter signature of the 'Interim Resolution Professional' at the back side of the cheques. In such case, the Bank shall release the payment. The 'Interim Resolution Professional' will place this order before the Banks, in which accounts of 'Corporate Debtor' are maintained. The Bank Account(s) of the 'Corporate Debtor' be allowed to be operated for day-to-day functioning of the company such as for payment of Current Bills of the Suppliers, Salaries and Wages of the employees'/ workmen, electricity bills etc.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Justice Bansi Lal Bhat)  
Member(Judicial)

(Justice Anant Bijay Singh)  
Member(Judicial)