

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

**Company Appeal (AT) (Insolvency) No. 389 of 2018**

**IN THE MATTER OF:**

**Anil Kohli, Resolution Professional  
for Dunar Foods Ltd.**

**...Appellant**

**Versus**

**Directorate of Enforcement & Anr.**

**...Respondents**

**Present:**

**For Appellant: Mr. Abhishek Anand and Mr. Mohak Sharma,  
Advocate**

**For Respondents:**

**ORDER**

**(Through Virtual Mode)**

**06.08.2020:** Mr. Abhishek Anand, learned counsel representing the Appellant submits that some further development has taken place in the Corporate Insolvency Resolution Process and the Adjudicating Authority has approved the Resolution Plan submitted by one Mr. Amit Gupta. He further submits that in view of the same and having regard to the provision of Section 32-A of the I&B Code, the Attachment Order passed by the Directorate of Enforcement would not survive and same has to be vacated. Mr. Abhishek Anand, learned counsel for the Appellant may file a supplementary affidavit bringing this subsequent development on record, within one week.

Cont'd...../

It appears that Mr. Rajeev Awasthi, Advocate who had been appearing earlier on behalf of the Respondent is not appearing and all efforts to seek his appearance have proved abortive. In this view of the matter and since assistance of Respondent's counsel is required in the matter, we deem it appropriate to issue notice to the Respondent directing it to depute an officer duly instructed and the learned counsel to whom the matter is assigned, to be present on the date of hearing, failing which we would be left with no option but to adopt a coercive method to secure appearance of the Respondent.

List the appeal 'for hearing' on **26<sup>th</sup> August, 2020**.

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

**[Dr. Alok Srivastava]  
Member (Technical)**

**[Shreesha Merla]  
Member (Technical)**

*am/gc*