

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 1121 of 2020

IN THE MATTER OF:

P. Mahalingam

...Appellant

Vs

Muthoot Fincorp Ltd. & Ors.

...Respondents

Present:

For Appellant: Mr. U.K Chaudhary Sr. Advocate with Mr. Saurabh Kalia, Mr. Vardaan Bajaj and Mr. Laxmanan, Advocates.

**For Respondent: Mr. Gautam Swaroop, Mr. R. Venkatavardan and Mr. W.F. Moses, Advocate for R-1
Mr. Ritin Sr. Advocate with Mr. Ms. Gunjan Jindal and Mr. Kartikeya Jaiswal, Advocates.**

O R D E R
(Through Virtual Mode)

23.12.2020: Heard Learned Sr. Counsel for the Appellant.

Issue Notice to Respondent Nos. 1 to 3 only.

Mr. Gautam Swaroop, Advocate appears for Respondent No. 1 and Mr. Chandra Moli, appears for Respondent No. 3. They waive service of formal Notice.

Notice be served on Respondent No.2. Requisite alongwith process fee be filed within a week.

Respondents to file Reply Affidavit within two weeks. Rejoinder, if any, may be filed within one week thereafter.

Learned Counsel for the Appellant makes request to see the Impugned Order. There is dispute regarding the ownership of the property concerned whether it is ownership of the individual or belongs to the Corporate Debtor.

It is stated that in violation of the orders of this court dated 24th January, 2020 the Adjudicating Authority has passed the direction to handover the possession to Respondent No. 1 (Financial Creditor). As it is stated that possession has already been taken over by the Respondent No. 1, we think it would be more appropriate to expedite the Appeal and take a decision. **The Appeal is expedited.**

Parties may file their brief Written Submissions not more than three pages within three weeks. Copies of Judgments on which they want to rely on, may also be filed.

List the Appeal 'For Admission (After Notice) hearing on **18th January, 2021.**

[Justice A.I.S. Cheema]
Member(Judicial)

[V.P. Singh]
Member (Technical)

SC/md/

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