NATIONAL COMPANY LAW APPELLATE TRIBUNAL <u>NEW DELHI</u>

Company Appeal (AT)(Ins) No. 606 of 2019

IN THE MATTER OF:

Hammond Power Solutions Pvt. Ltd.		Appellant
Versus		
Mr. Sanjit Kumar Nayak & Ors.		Respondents
Present		
For Appellant:	Mr. Ritin Rai, Senior Advocate with Mr. Alipak Banerjee and Mr. Brijesh Kumar, Advocates Mr. Palzer Moktan, Advocate for Intervenor	
For Respondents:	Mr. Sanjit Kumar Nayak, Resolution Professional Ms. Sreenita Ghosh and Mr. Arjun Asthana, Advocates for Respondent No.1 Mr. Ashish Aggarwal and Mr. Gurcharan Singh, Advocates for Respondent Nos. 4 and 5	

<u>O R D E R</u>

15.07.2019 Mr. Ashish Aggarwal, Advocate appears on behalf of the 'Resolution Applicant', Mr. Sanjit Kumar Nayak, 'Resolution Professional appears in person. They prayed for and allowed 2 weeks' time to file reply-affidavit. Rejoinder, if any, be filed by the Appellant within a week thereof.

Respondent No. 2 is the 'Committee of Creditors' and notice issued showed that the notice is in transit but in fact the name of the individual is required to be served. Therefore, we allowed the Appellant to make necessary corrections by 16th July, 2019 in the cause title of 2nd Respondent i.e. 'Allahabad Bank', Chittaranjan Avenue Branch, Kolkata through its Chief Manager, lead Bank of 'Committee of Creditors'. Let fresh notice be issued on 2nd Respondent as Chief Manager, Allahabad Bank, Chittaranjan Avenue Branch, Kolkata as lead bank of the 'Committee of Creditors'. Requisite along with process fee, if not filed, be filed by 17th July, 2019.

So far as the 3rd Respondent is concerned, who is the 'Corporate Debtor' and is represented by 'Resolution Professional' / 'Successful Resolution Applicant', so no further notice need be issued on 3rd Respondent.

Post the case 'for Admission (After Notice)' on **26th August, 2019** on the top of the list. The appeal may be disposed of at the stage of admission.

The Intervention Applications of the Intervenors will be considered along with the claim of the Appellant on the next date.

[Justice S.J. Mukhopadhaya] Chairperson

> [Balvinder Singh] Member (Technical)

> [Kanthi Narahari] Member (Technical)

ns/sk/