

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 1055 of 2020

In the matter of:

Parag Sheth, Resolution Professional of M/S Digjam Ltd.Appellant

Vs.

Sunil Kumar Agarwal, Resolution Professional For Digjam Ltd. & Ors.Respondents

Present:

Appellant: Mr. Jasdeep Singh Dhillon, Ms. Natasha Dhruvan Shah, Advocates.

ORDER

(Through Virtual Mode)

14.12.2020: In terms of the impugned order dated 8th October, 2020, the Adjudicating Authority (National Company Law Tribunal), Ahmedabad Bench, Court-II has rejected the application of Appellant- Interim Resolution Professional holding application of Appellant in regard to his claim of fee as not maintainable.

Ms. Natasha Dhruvan Shah, Advocate representing the Appellant submits that the application in regard to fee of IRP admissible upto 1st January, 2020 had been filed on 13th May, 2020 when Committee of Creditors was in existence and Resolution Plan was subsequently approved on 27th May, 2020. Thus, the application had been filed within time when the Resolution Plan was yet to be approved, therefore, the same could not be summarily rejected as being not maintainable.

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Issue notice upon Respondents. Appellant to provide mobile Nos./ e-mail address of the Respondents. Notice be issued through e-mail or any other available mode. Requisites along with process fee be filed within three days.

List the appeal on 20th January, 2021.

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

**[Justice Anant Bijay Singh]
Member (Judicial)**

AR/g