

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

**Company Appeal (AT) (Ins) No. 530 & 700 of 2019**

**IN THE MATTER OF:**

**Vijay Kumar V. Iyer.**

**....Appellant**

**Vs.**

**Bharti Airtel Ltd. & Bharti Hexacom Ltd. & Ors.**

**....Respondents**

**Present:**

**For Appellant: Mr. Raju Ramachandran, Sr. Advocate with Mr. Malak Bhatt, Mr. Vaijayant Paliwal and Ms. Charu Bansal, Advocates**

**For Respondents: Mr. Raunak Dhillon and Ms. Ananya Dhar Choudhary, Advocates for R-3 & R-4.**

**ORDER**

**25.07.2019:** Prayer of Respondent - Bharti Airtel Ltd. & Bharti Hexacom Ltd. to file reply to the reply affidavit filed by 'Committee of Creditors' is rejected. They may ask for additional reply which the Appellate Tribunal may consider, if so required.

By way of last chance, on the request of the counsel for the Bharti Airtel Ltd. & Bharti Hexacom Ltd., the case is adjourned to accommodate senior learned counsel. No further adjournment shall be granted on the next date.

One of the question arises for consideration in this appeal is whether any amount payable to the Corporate Debtor/ Resolution Applicant during the resolution process can be adjusted by the Operational Creditor towards its claim, though in the original claim no such adjustment was sought for, the amount having received subsequently by the Operational Creditor during the Corporate Insolvency Resolution Process.

Post the case 'for admission (after notice)' on **13<sup>th</sup> August, 2019** on the top of the list.

The appeal may be disposed of at the stage of admission. It will be open to the parties to file short list of events and written submissions, not more than 5 pages, within 10 days.

[Justice S.J. Mukhopadhaya]  
Chairperson

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

[Kanthi Narahari]  
Member (Technical)

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