

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**  
**Company Appeal (AT) (Insolvency) No. 357 of 2020**

**IN THE MATTER OF:**

**Rajesh Kumar Tripathi**

**....Appellant**

**Vs**

**Era Housing & Developers (P) Ltd. & Ors.**

**....Respondents**

**Present:**

**For Appellant: Mr. Gaurav Mitra, Sr. Advocate with Mr. Apoorv Agarwal and Ms. Shriya Raychaudhuri, Advocates.**

**For Respondents: Mr. K. K. Mishra, Advocate for R-1.**

**Mr. Sumant Batra, Niharika Sharma, Mr. Rahul Mendiratta, Mr. Darshan Singh Anand and Mr. IPS Oberoi, Advocates for R-2, 4, 5, 7, 8 & 9.**

**Mr. Shubharanshu Padhi and Mr. Rakshit Jain, Advocates for R-3.**

**Ms. Neelambika and Mr. Swapnil Gupta, Advocates for R-6.**

**Mr. Abdul Majeed Dar, Advocate for Suspended Board of Directors.**

**Mr. Atul Sharma, Advocate for EARCL.**

**O R D E R**  
**(Through Virtual Mode)**

**16.10.2020:** ‘Short Matrix of Group Companies of Adel Landmarks Limited’ has been filed by Mr. Sumant Batra, learned counsel for Respondent Nos. 2, 4, 5, 7, 8 & 9. Mr. Batra may provide a copy thereof to learned counsel for the Appellant.

Reply has not been filed by any of the Respondents as copy of appeal paper book is stated to have not been supplied to them. Learned counsel for the

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Appellant shall provide complete set of appeal paper book to learned counsels for all the Respondents during the course of the day.

Respondents may file reply affidavit within two weeks. Rejoinder, if any, may be filed within one week thereof.

Mr. Sumant Batra, Advocate representing Respondents Nos. 2, 4, 5, 7, 8 & 9 submits that liquidation order has been passed with respect to Respondent No. 1 and 3 only and so far as other group companies are concerned, in respect thereof Committee of Creditors has approved Resolution Plan. The Resolution Professional has moved application under Section 31 of the I&B Code before the Adjudicating Authority for approval.

Mr. Gaurav Mitra, learned senior counsel for the Appellant, who was directed to place on record the Resolution Plan as placed before the Committee of Creditors in the consolidated Corporate Insolvency Resolution Process against the Principal Borrower, in terms of order dated 26<sup>th</sup> August, 2020, has not filed the same. He seeks and is allowed one week's time to place the same on record.

At this stage, Mr. Gaurav Mitra, learned counsel for the Appellant stated that he had filed the copy of resolution plan in consolidated corporate insolvency resolution process but Registry did not accept the same as the copies were dim and illegible. He is permitted to file the same within one week.

At the sametime, Mr. Sumant Batra, learned counsel for Resolution Professional may file better/ legible copies thereof, if he is in possession of the same.

Mr. A M Dar, Advocate, who sought filing of intervention application on behalf of Suspended Board of Directors on previous date of hearing, has filed I.A. No. 2456 of 2020. Same is taken on record. It is claimed that the applicant was party in the proceedings before the Adjudicating Authority. Let a documentary proof in that regard be filed by him in form of an affidavit within one week.

List the matter 'for admission (after notice)' on **2<sup>nd</sup> December, 2020**

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

**[Dr. Ashok Kumar Mishra]  
Member (Technical)**

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

*am/gc*