

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 948 of 2020

IN THE MATTER OF:

Babu Phutane Sakamani & Ors.

...Appellants

Versus

Bhagyalakshmi Homes LLP

...Respondent

Present:

**For Appellants: Mr. Himanshu Chaubey and Mr. Srijan Sinha,
Advocates.**

For Respondent:

ORDER
(Through Virtual Mode)

03.11.2020: Aggrieved of rejection of its application under Section 7 of the I&B Code, the Appellants (Financial Creditors) have preferred the instant appeal raising the issue that there was admission of liability on the part of the Corporate Debtor as the cheques issued by it towards discharge of liability were dishonoured. It is further submitted by Shri Himanshu Chaubey, learned counsel for the Appellants that the proceedings before the Adjudicating Authority (National Company Law Tribunal) Bengaluru Bench, Bengaluru were protracted as the same was dragged by the Corporate Debtor on pretence of settlement which did not fructify.

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

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I.A. No. 2573 of 2020 seeking exemption from filing certified copy of the impugned order is disposed of with direction to the Appellant to file certified copy of the impugned order within two weeks.

I.A. No. 2574 of 2020 seeking exemption from filing notarised Power of Attorneys in original is disposed of with direction to the Appellant to file the same within two weeks.

I.A. No. 2575 and I.A. No. 2576 are allowed for the reasons assigned in the respective applications.

List the matter 'for admission (after notice)' on **11th December, 2020.**

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

**[Justice Jarat Kumar Jain]
Member (Judicial)**

**[Kanthi Narahari]
Member (Technical)**

am/gc