

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

**Company Appeal (AT) (Insolvency) No. 426 of 2020**

**IN THE MATTER OF:**

**NCC Ltd.**

**...Appellant**

**Versus**

**Golden Jubilee Hotels**

**...Respondent**

**Present:**

**For Appellant :**

**Mr. Priya Kumar, Mr. Adhish Srivastava and Mr. Tejas Chhabra, Advocates**

**For Respondent :**

**Mr. Y. Suryanarayana, Advocate for R-1  
Mr. Arun Kathpalia, Senior Advocate with  
Mr. Pankaj Vivek, Advocate for R-2  
Mr. Gyanendra Kumar, Mr. Lakshmi Prakash,  
Mr. Vijay Kaundal, Ms. Kamalika Bhattacharjee and  
Mr. Robin Grover, Advocates for R-5  
Mr. P. Badri Premnath, Mr. Swapnil Gupta, Mr. Ishaan Karki and Mr. P. V. Nikhil, Advocates for R-4**

**WITH**

**Company Appeal (AT) (Insolvency) No. 430 of 2020**

**IN THE MATTER OF:**

**Consolidated Engineering Company**

**...Appellant**

**Versus**

**Subodh Kumar Agarwal & Ors.**

**...Respondents**

**For Appellant :**

**Mr. Krishnendu Datta, Senior Advocate with  
Mr. Kumar Anurag Singh, Mr. Uddyan Mukherjee  
and Ms. Madhurika Ray and Ms. Mehak Khurana,  
Advocates**

**For Respondents :**

**Mr. Y. Suryanarayana, Advocate for R-1  
Mr. Arun Kathpalia, Senior Advocate with  
Mr. Pankaj Vivek, Advocate for R-2  
Mr. P. Venkat Reddy, Mr. Prashant Tyagi, Advocates  
for R-3**

**Mr. P. Badri Premnath, Mr. Swapnil Gupta, Mr. Ishaan Karki and Mr. P. V. Nikhil, Advocates for R-4**

**Mr. Gyanendra Kumar, Mr. Lakshmi Prakash,  
Mr. Vijay Kaundal, Ms. Kamalika Bhattacharjee and  
Mr. Robin Grover, Advocates for R-3  
Mr. Arijit Mazumdar and Mr. Shambo Nandy,  
Advocates for R-11  
Mr. Nitish Kant Sharma, AoR**

**WITH**

**Company Appeal (AT) (Insolvency) No. 432 of 2020**

**IN THE MATTER OF:**

**Infinity Interiors Pvt. Ltd.**

**...Appellant**

**Versus**

**Subodh Kumar Agarwal & Ors.**

**...Respondents**

**For Appellant :**

**Mr. Kumar Anurag Singh, Mr. Uddyam Mukherjee  
and Ms. Madhurika Ray and Ms. Mehak Khurana,  
Advocates**

**For Respondents :**

**Mr. Y. Suryanarayana, Advocate for R-1  
Mr. Arun Kathpalia, Senior Advocate with  
Mr. Pankaj Vivek, Advocate for R-2  
Mr. P. Venkat Reddy, Advocate  
Mr. P. Badri Premnath, Mr. Swapnil Gupta, Mr.  
Ishaan Karki and Mr. P. V. Nikhil, Advocates for R-4**

**Mr. Gyanendra Kumar, Mr. Lakshmi Prakash,  
Ms. Kamalika Bhattacharjee and Mr. Robin Grover,  
Advocates, for R-3  
Mr. Arijit Mazumdar and Mr. Shambo Nandy,  
Advocates for R-11**

**WITH**

**Company Appeal (AT) (Insolvency) No. 438 of 2020**

**IN THE MATTER OF:**

**Laxmi Narayan Sharma**

**...Appellant**

**Versus**

**Subodh Kumar Agarwal,  
Resolution Professional,  
Golden Jubilee Hotels Pvt. Ltd. & Ors.**

**...Respondents**

**Present:**

**For Appellant :** Mr. Mukul Rohtagi, Senior Advocate  
Mr. Yogesh K. Jagia, Mr. Suraj Prakash, Ms.  
Priyanka Solanki, Ms. Mrinal Litoria, Advocates

**For Respondents :** Mr. Y. Suryanarayana, Advocate for R-1  
Mr. Arun Kathpalia, Senior Advocate with  
Mr. Pankaj Vivek, Advocate for R-2, 3 5, 6, 8 and 9  
Mr. Syed Arsalan Abid, Mr. Prateek Khaitan and Mr.  
Sikander Khan, Advocates for Respondent No. 7  
Mr. Gyanendra Kumar, Mr. Lakshmi Prakash,  
Ms. Kamalika Bhattacharjee and Mr. Robin Grover,  
Advocates for R-10  
Mr. Syed Arsalan Abid, Mr. Prateek Khaitan and Mr.  
Apoorv Malhotra, Advocates for Respondent No. 7  
Mr. Sudipto Sarkar, Senior Advocate with  
Mr. Arijit Mazumdar and Ms. Akanksha Kaushik,  
Advocates for R-11  
Mr. Harshad Chopra, Advocate for Bank of Baroda

**WITH**

**Company Appeal (AT) (Insolvency) No. 710 of 2020**

**IN THE MATTER OF:**

**Ahuja Furnishers Pvt. Ltd.**

**...Appellant**

**Versus**

**Subodh Kumar Agarwal & Ors.**

**...Respondents**

**For Appellant :** Mr. Kumar Anurag Singh, Mr. Uddyam Mukherjee  
and Ms. Madhurika Ray and Ms. Mehak Khurana,  
Advocates

**For Respondents :** Mr. Y. Suryanarayana, Advocate for R-1  
Mr. Arun Kathpalia, Senior Advocate with  
Mr. Pankaj Vivek, Advocate for R-2  
Mr. P. Venkat Reddy, Advocate for R-3  
Mr. P. Badri Premnath, Mr. Swapnil Gupta, Mr.  
Ishaan Karki and Mr. P. V. Nikhil, Advocates for R-4  
Mr. Gyanendra Kumar, Mr. Lakshmi Prakash,

**Ms. Kamalika Bhattacharjee and Mr. Robin Grover,  
Advocates, for R-5  
Mr. Arijit Mazumdar and Mr. Shambo Nandy,  
Advocates for R-11**

**ORDER**  
**(Through Virtual Mode)**

**16.09.2020** Pleadings in some of the matters have not been completed. It is not a healthy situation. However, we allow such parties, who have not filed their pleadings, to complete the pleadings within one week failing which their right to file the same shall stand closed without reference to the Bench. Written submissions, wherever not filed, may also be filed within the aforesaid period.

It is brought to our notice that 'Committee of Creditors' has not been arrayed as party-respondent in '*Company Appeal (AT (Insolvency) No. 430 of 2020*'; '*Company Appeal (AT (Insolvency) No. 432 of 2020*' and '*Company Appeal (AT (Insolvency) No. 710 of 2020*'. Given the role assigned to the 'Committee of Creditors' in the 'corporate insolvency resolution process', we direct the 'Committee of Creditors' to be arrayed as party-respondent No.4 in '*Company Appeal (AT (Insolvency) No. 430 of 2020*'; Respondent No. 4 in '*Company Appeal (AT (Insolvency) No. 432 of 2020*' and Respondent No. 5 in '*Company Appeal (AT (Insolvency) No. 710 of 2020*'. Appellant, in such appeals, may carry out the necessary corrections in the memo of parties and provide complete set of paper book to Mr. Pankaj Vivek, Advocate who waives notice and represents the 'Committee of Creditors' during the course of the day. Reply-affidavit may also be filed within five days and rejoinder thereto, if any, may be filed within five days thereof. We reiterate that if any party is found lacking in filing its pleadings, no prayer for extension of time will be entertained. All the appeals be processed for simultaneous hearing.

In “*Company Appeal (AT (Insolvency) No. 710 of 2020*’ requisites along with process fee has not been filed. Let the same be done during the course of the day.

List all the appeals ‘for Admission (After Notice)’ on **30<sup>th</sup> September, 2020**.

The interim order be continued till the next date of hearing.

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

**[Justice Venugopal M.]**  
**Member (Judicial)**

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

/ns/gc/