

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 1033 of 2020

In the matter of:

Prasun Kumar & Ors.

....Appellants

Vs.

EMM VEE Infrastructures (India) Pvt. Ltd.

Through Its IRP Manish Agarwal

....Respondent

Present:

**Appellants: Mr. Piyush Singh, Mr. Aditya Parolia, Mr. Prateek Vats,
Advocates.**

ORDER

(Through Virtual Mode)

04.12.2020: The issue raised in this appeal against admission of application under Section 7 of the Insolvency and Bankruptcy Code, 2016 is that the Judgment rendered by the Hon'ble Supreme Court in 'Umang Realtech Private Limited' which relates to homebuyers has not been followed by the Adjudicating Authority (National Company Law Tribunal), Allahabad Bench overlooking the fact that the Corporate Insolvency Resolution Process has to be project wise, and rights of the homebuyers including the Appellants have not been protected.

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.

Contd/-.....

List the appeal 'for admission (after notice)' on 13th January, 2021.

Meanwhile, as an ad-interim, the Interim Resolution Professional may continue with the Corporate Insolvency Resolution Process but shall not convene further meeting of the Committee of Creditors till next date of hearing.

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

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

AR/g