

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 1138 of 2020

In the matter of:

Rakesh Mediratta

....Appellant

Vs.

Asian Hotels (North) Ltd.

....Respondent

Present:

Appellant: Mr. Yogesh Jagia, Ms. Alisha Chopra, Advocates.

Respondent: Mr. Nagesh, Mr. Shivam Wadhwa, Mr. Deepak, Advocates.

ORDER

(Through Virtual Mode)

04.01.2021: The issue in this appeal is that the dismissal of application of Appellant- Operational Creditor under Section 9 of the Insolvency and Bankruptcy Code, 2016 ("I&B Code" for short) in terms of the impugned order dated 10th September, 2020 passed by the Adjudicating Authority (National Company Law Tribunal), New Delhi, Principal Bench on the ground of same being hit by Notification dated 24th March, 2020 issued under Section 4 of the 'I&B Code' is bad as the default had occurred prior to cut-off date.

Issue notice upon Respondent. Notice on behalf of Respondent is waived and accepted by Mr. Nagesh, Advocate. No further notice need be issued to him. Reply affidavit along with Vakalatnama may be filed by the Respondent within 2 weeks. Rejoinder, if any, be filed within 2 weeks thereof.

Contd/-.....

Short written submissions not exceeding three pages may also be filed along with the pleadings supported by the relevant case law.

List the appeal 'for admission (after notice)' on 9th February, 2021.

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

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

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

AR/g