

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
Company Appeal (AT) (Insolvency) No. 95 of 2021**

In the matter of:

Tridhaatu Kirti Developers LLP

....Appellant

Vs.

Nandkishore Vishnu Deshpande & Ors.

....Respondents

Present:

**Appellant: Mr. Vishesh Kalra, Mr. Saket Mone, Mr. Jannejay
Giridhar, Mr. Utsav Mukherjee, Ms. Smriti Churiwal,
Advocates.**

Respondents:

ORDER

(Through Virtual Mode)

15.02.2021: The application of Resolution Professional under Section 66 read with Section 26 of the Insolvency and Bankruptcy Code, 2016 ("I&B Code" for short) was allowed and Appellant was directed to pay Rs. 8.95 Crores to Corporate Debtor in terms of the impugned order dated 21st January, 2021 passed by the Adjudicating Authority (National Company Law Tribunal), Mumbai Bench, Court-5.

One of the issues raised in this appeal is that the Adjudicating Authority erred in recording the finding in regard to alleged fraud as there was no material evidence produced by the Resolution Professional to substantiate the same.

Contd/-.....

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

I.A. No. 213 of 2021 has been filed by the Appellant for seeking exemption from filing certified copy of the impugned order dated 21st January, 2021 and other documents. I.A. No. 213 of 2021 stands disposed off with direction to the Appellant to file the certified copy of the impugned order and other documents within two weeks.

List the appeal 'for admission (after notice)' on 18th March, 2021.

Meanwhile, till the next date of hearing, the impugned order shall remain stayed.

[Justice Bansi Lal Bhat]
Acting Chairperson

[Dr. Ashok Kumar Mishra]
Member (Technical)

AR/g