

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

**Company Appeal (AT) (Insolvency) No. 157 of 2020**

**IN THE MATTER OF:**

**Ashok Kriplani, Resolution Professional of  
Dreamz Infra India Ltd.**

**...Appellant**

**Vs**

**Assistant Commissioner, South Sub-Division**

**....Respondent**

**Present:**

**For Appellant: Mr. Vinod Chaurasia, Advocate.**

**For Respondent:**

**ORDER**

**27.01.2020:** Learned counsel for the Appellant submits that the Respondent is continuing with his own proceedings under Section 7 of the Karnataka Protection of Interest of Depositors in Financial Establishment Act, 2004 and has not taken appropriate decision on the request of Resolution Professional in terms of order dated 18<sup>th</sup> October, 2019 passed by the Adjudicating Authority (National Company Law Tribunal), Bengaluru Bench. It is submitted that Insolvency and Bankruptcy Code, 2016 (I&B Code) in terms of Section 238 has overriding effect and provisions under the Karnataka Act have to yield to the overriding effect of the I&B Code.

Let notice be issued upon Respondent by Speed Post. Requisites along with process fee, if not already filed, be filed by tomorrow. If the Appellant provides email address of the Respondent, let notice be also issued through email.

Post the appeal 'for admission (after notice)' on **25<sup>th</sup> February, 2020.**

Pendency of the appeal, however, will not preclude the Respondent from taking appropriate decision in terms of the order of the Adjudicating Authority.

[Justice Bansi Lal Bhat]  
Member (Judicial)

[Vijay Pratap Singh]  
Member (Technical)

[Shreesha Merla]  
Member (Technical)

*am/gc*