

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal(AT)(Insolvency) No. 494 of 2019

IN THE MATTER OF:

Bank of India **...Appellant**

Vs

Shrenuj & Company Ltd. **....Respondent**

Present:

For Appellant: Mr. Ashish Rana and Harshit Garg, Advocates

**For Respondents: Mr. Siddharth Sharma and Ms. Shruti Arora,
Advocates for Respondent No. 1**

**Mr. Sudipto Sarkar, Senior Advocate along with
Mr. Manesh Agarwal, Mr. Abhijeet Sinha, Mr.
Arshit Anand, Mr. Divyang G Chawdiraman, and
Mr. Himanshu Satija, Advocates for Intervener**

With

Company Appeal(AT)(Insolvency) No. 723 of 2019

IN THE MATTER OF:

Vishal Doshi **...Appellant**

Vs

Bank of India and Anr. **....Respondents**

Present:

**For Appellant: Mr. Sudipto Sarkar, Senior Advocate along with
Mr. Manesh Agarwal, Mr. Abhijeet Sinha, Mr.
Arshit Anand, Mr. Divyang G Chawdiraman, Mr.
Himanshu Satija and Mr. Saikat Sarkar,
Advocates**

**For Respondents: Mr. Ashish Rana and Harshit Garg, Advocates for
Respondent No. 1**

ORDER

05.09.2019 The Appellant/Promoter has challenged the order dated 12th March, 2019 and the appeal has been preferred on 04.07.2019. There being a

delay in preferring the appeal from the date of impugned order, a petition for condonation of delay explaining the delay has been filed.

Learned Counsel appearing on behalf of the Appellant (s) submits that in term of Section 420(3) of Companies Act, 2013, the Adjudicating Authority (National Company Law Tribunal), Mumbai Bench was required to forward a free certified copy of the impugned order dated 12.03.2019 but it was not forwarded. The Appellant could come to know the detailed order in the beginning of July, 2019 whereinafter the appeal has been preferred and therefore learned Counsel for the Appellant states that there is no delay in preferring the appeal(s).

As we find that in terms of Section 420(3) of the Companies Act, 2013, it is mandatory for the Adjudicating Authority to supply free certified copy of the impugned order but it has not yet been supplied to the promoter, who represent the 'Corporate Debtor' before the Adjudicating Authority, we accept the plea that there is no delay in preferring the appeal(s).

Delay in filing the appeal in Company Appeal(AT)(Insolvency) No. 494 of 2019 is condoned and accordingly I.A. No. 1553 of 2019 stands disposed of. Similarly delay in filing the appeal in Company Appeal(AT)(Insolvency) No. 723 of 2019 is condoned and accordingly I.A. No. 2197 of 2019 stands disposed.

Heard the parties. Place the appeals for further hearing under the heading 'Admission After Notice' on **17th September, 2019** on the top of the list.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice A.I.S. Cheema]
Member (Judicial)

(Kanthi Narahari)
Member(Technical)

Akc/Sk