

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 359 of 2020

In the matter of:

Rajendra Mulchand Varma & Ors.

....Appellants

Vs.

K. L. J. Resources Ltd. & Anr.

....Respondents

Present:

Appellants: Mr. C. George Thomas, Advocate.

Respondents:

ORDER

02.03.2020: Referring to order dated 18th September, 2019 passed in C.P.(IB)-1085(MB)/2019 by virtue whereof the application under Section 7 of I&B Code was disposed of on consent terms being filed with express direction that the petition stands dismissed as withdrawn with liberty to file a fresh petition in case of the breach of consent terms and also having referred to para 14 of the Contempt Petition filed by the Financial Creditor before the Adjudicating Authority alleging that the Respondent had not complied with the direction as regards execution and registration of sale deed in favour of the Petitioner – Financial Creditor by 17th October, 2019, it is submitted by learned counsel for the Appellant that the impugned order assailed in this appeal observing that it was a fit case for lodging of an FIR as commission of cognizable offence was disclosed is not sustainable.

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

Post the appeal 'For Admission (After Notice)' on **1st April, 2020.**

**[Justice Bansi Lal Bhat]
Member (Judicial)**

**[Justice Venugopal M.]
Member (Judicial)**

**[Shreesha Merla]
Member (Technical)**

am/nn