

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

**Interlocutory Application No.2493 of 2019 in
Company Appeal (AT) (Insolvency) No. 778 of 2019**

IN THE MATTER OF:

Ritesh Khandelwal Appellant

Vs

Dimension Data India Private Limited & Anr. Respondents

Present:

**For Appellant: Mr. Arun Kathpalia, Senior Advocate with
Ms. Padmaja Kaul and Ms. Vaishnavi Rao,
Advocates.**

**For Respondents: Mr. D. Abhinav, Advocate for Respondent
No.1.**

O R D E R

14.08.2019 It is stated that the 'Committee of Creditors' has not been constituted and in the meantime, the parties have reached settlement on 12th August, 2019. However, no orders can be passed in the absence of the 'Interim Resolution Professional'.

Therefore, we issue notice to 2nd Respondent – 'Interim Resolution Professional'. Requisites along with process fee be filed within course of the day. If the Appellant provides email address of the 2nd Respondent, let notice be issued through email. Dasti service is permitted.

'Interim Resolution Professional' on appearance will state as to whether 'Committee of Creditors' was constituted before 12th August, 2019, i.e., before

the settlement reached between the parties and if so, what is the cost incurred and fee payable to the 'Interim Resolution Professional'.

Post the case 'for orders' on **21st August, 2019**. The Appeal may be disposed of on the next date.

[Justice S. J. Mukhopadhaya]
Chairperson

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

[Kanthi Narahari]
Member (Technical)