

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

**Company Appeal (AT) (Insolvency) No. 23 of 2020**

**IN THE MATTER OF:**

**Sansar Investment & Finance  
Company Pvt. Ltd.**

**...Appellant**

**Versus**

**Atlantic Spinning & Weaving Mills Ltd.**

**...Respondent**

**Present:**

**For Appellant :                   Mr. Krishnendu Dutta, Mr. Nakul Motha and  
  Mr. Ankur Goel, Advocates**

**ORDER**

**08.01.2020**           The questions arise for consideration in this appeal are :-

- (i) Whether in terms of Section 60(5)(b) of the 'I&B Code' a claimant can challenge the decision of the 'Resolution Professional';
- (ii) Whether u/s 60(5) of the 'I&B Code' the claimant can make prayer before the Adjudicating Authority (National Company Law Tribunal) to decide the claim; and
- (iii) Whether the question of rights and title of the land can be decided by the 'Resolution Professional' or by the Adjudicating Authority (National Company Law Tribunal) or by the National Company Law Appellate Tribunal.

Learned counsel for the Appellant will address this Appellate Tribunal on the aforesaid issues taking into consideration the provisions of the law and the decisions rendered by the Hon'ble Supreme Court.

Post the case 'for Admission (Fresh Case)' on **14<sup>th</sup> January, 2020.**

[Justice S.J. Mukhopadhaya]  
Chairperson

[ Justice Bansi Lal Bhat ]  
Member (Judicial)

/ns/gc/

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