

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

**Company Appeal (AT) (Ins) No.212 of 2020**

**IN THE MATTER OF:**

**Harish Amilineni**

**...Appellant**

**Versus**

**Rajkumar Brothers and Production Pvt. Ltd. & Anr.**

**...Respondents**

**For Appellant:**

**Shri Samrat Sengupta, Shri S.C. Das and Shri  
Debayan Ghosh, Advocates**

**For Respondents:**

**None**

**ORDER**

**04.02.2020** Heard. It is stated that Application under Section 9 of Insolvency and Bankruptcy Code, 2016 has been admitted.

Appellant to array the Corporate Debtor through IRP as Respondent No.2.

Issue Notice. Requisite along with process fee, if not filed, be filed by tomorrow. If the Appellant provides the e-mail address of Respondents, let notice be also issued through e-mail.

The Appellant/Promoters/Directors of the 'Corporate Debtor' are directed to handover the assets and records of the 'Corporate Debtor' to the 'Interim Resolution Professional' immediately (if not yet handed over). The 'Interim Resolution Professional' /RP will ensure that the Company remains a going concern and will take assistance of the (suspended) Board of Directors and the officers/Director/employees. The persons who are working will perform their duties including the paid Directors. The person who is authorised to sign the bank cheques may sign cheques only after authorisation of the 'Interim Resolution Professional' with counter signature of the 'Interim Resolution Professional'/RP at the back side of the cheques. In

such case, the Bank shall release the payment. The 'Interim Resolution Professional' will place this order before the Banks, in which accounts of 'Corporate Debtor' are maintained. The Bank Account(s) of the 'Corporate Debtor' be allowed to be operated through IRP/RP for day-to-day functioning of the Company such as for payment of Current Bills of the Suppliers, Salaries and Wages of the employees'/workmen, electricity bills etc.

Learned Counsel for the Appellant is pressing for stay of CIRP. We do not agree. The request is rejected.

List the Appeal 'for admission (after Notice)' on 25<sup>th</sup> February, 2020.

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

(Justice A.B. Singh)  
Member (Judicial)

[Kanthi Narahari]  
Member (Technical)

*/rs/md*