

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

**Company Appeal (AT) (Insolvency) No. 469 of 2018**

**IN THE MATTER OF:**

**Ranajit Das & Ors.**

**...Appellants**

**Versus**

**MSX Mall Pvt. Ltd. & anr.**

**...Respondents**

**Present:**

**For Appellants:           Mr. Arvind Kr. Gupta, Mr. Abhishek Goyal and Mr. Prashant Bardwaj, Advocates**

**For Respondent :       Mr. Abhishek Anand, Advocate for R.P.**

**O R D E R**

**25.10.2018**       A joint petition under Section 7 of the 'I&B Code' has been filed by the appellant on behalf of the other 'financial creditors'. The Adjudicating Authority admitted the application under Section 7 by impugned order dated 9<sup>th</sup> July, 2018 on behalf of one of the 'financial creditor' with observation that the claim of the appellants are time barred.

The appeal was filed by the appellants on the main ground that the claim was not barred by limitation in view of the decision of this Appellate Tribunal in similar case. However, when the matter was taken up, learned counsel for the 'Resolution Professional' submits that the claim of the appellants have been accepted by the 'Resolution Professional' and the matter has already been placed before the 'Committee of Creditors'. In view of the stand taken by the 'Resolution Professional', we are not inclined to deliberate on the issue relating to the limitation.

With regard to rest of the issues, which are not the subject matter of this appeal, the appellant will place his claim before the 'Resolution Professional'.  
With the aforesaid observations, the appeal stands disposed.

[Justice S.J. Mukhopadhaya]  
Chairperson

[ Justice Bansi Lal Bhat ]  
Member (Judicial)

/ns/sk/