

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) (Insolvency) No. 285 of 2021

IN THE MATTER OF:

Abhay Gordhanbhai Thummar

...Appellant

Versus

Usmangani Habibbhai Kasmani & Anr.

...Respondents

Present: -

For Appellant: Mr. Vikash Mehta, Mr. Tarak Damani and Mr. Bhaskar Nayak, Advocates.

**For Respondent: Ms. Pallavi Pratap, Advocate for Respondent No. 1.
Mr. Sumit Kansal, Advocate for Respondent No. 2.
Mr. Sunil Kumar Agarwal (IRP).**

O R D E R
(Virtual Mode)

05.04.2021 Learned Counsel for the Appellant submits that after filing this Appeal the Appellant has settled the matter with the Respondent No. 1.

Learned Counsel for the Respondent No. 1 appears and also accepts this fact. Learned Counsel for the Respondent No. 2 is also present and inform this Tribunal that CoC has not yet been constituted.

Learned Counsel for the Appellant and Respondent No. 1 are directed to file their joint Affidavit bringing on record the terms of settlement arrived between the parties outside the Court, within one week.

In the meanwhile, the Respondent No. 2 – Interim Resolution Professional is directed to ensure that ‘Committee of Creditors’ may not be constituted till the next date.

List the Appeal ‘For Admission (After Notice)’ on **15th April, 2021**.

[Justice Anant Bijay Singh]
Member (Judicial)

[Ms. Shreesha Merla]
Member (Technical)