

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 432 of 2020

In the matter of:

Infinity Interiors Pvt. Ltd.

....Appellant

Vs.

Subodh Kumar Agarwal & Ors.

....Respondents

Present:

Appellant: Mr. Kumar Anurag Singh, Mr. Nishant Piyush and Mr. Zain Khan, Advocates.

Respondents: Mr. Gyanendra Kumar and Ms. Kamalika Bhattacharjee, Advocates for R-3.

ORDER

17.03.2020: The issue raised in this appeal is whether different sets of Creditors falling within the class of 'Operational Creditors' can be accorded different treatment.

Issue notice. Mr. Gyanendra Kumar, Advocate accepts notice on behalf of Respondent No. 3. No notice needs to be issued on him. Learned counsel for the Appellant will serve copy of paper book on him. He may file reply affidavit alongwith vakalatnama within 10 days. Rejoinder, if any, may be filed by the Appellant within one week thereof.

Let notice be issued on rest of the Respondents by Speed Post. Requisites alongwith process fee, if not already filed, be filed by tomorrow. If the Appellant provides email address of rest of the Respondents, let notice be also issued through email.

Post this appeal 'for admission (after notice)' on **24th April, 2020** alongwith Company Appeal (AT) (Insolvency) No. 426 of 2020.

Implementation of the approved Resolution Plan in so far as the same deals with the distribution mechanism limited to Operational Creditors shall be subject to outcome of these appeals.

**[Justice Bansi Lal Bhat]
Acting Chairperson**

**[Justice Anant Bijay Singh]
Member (Judicial)**

**[Shreesha Merla]
Member (Technical)**

am/gc