

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

**Company Appeal (AT) (Insolvency) No. 739 of 2020**

**IN THE MATTER OF:**

**Avasarala Venkateshwra Rao**

**... Appellant**

**Versus**

**Servomax India Pvt. Ltd. & Ors.**

**...Respondents**

**Present:**

**For Appellant : Mr. Rajesh Bohra, Advocate**

**For Respondents : Mr. G. Madhusudan Rao, Advocate for R-1 and R-2**

**O R D E R**

**(Through Virtual Mode)**

**03.09.2020** The Appellant, claiming to be the owner of the trade mark 'Servomax', is aggrieved of the impugned order. The issue raised is that the 'Liquidator' is not empowered to decide about the legality of agreements executed prior to initiation of the 'corporate insolvency resolution process'.

Issue Notice upon the Respondents.

Mr. G. Madhusudan Rao, learned counsel waived and accepted notice on behalf of Respondent Nos. 1 and 2. No further notice need to be issued upon these Respondents. Respondent Nos. 1 and 2 shall file their reply-affidavits within two weeks. Rejoinder, if any, be filed by the Appellant within one week thereof.

Issue notice upon Respondent Nos. 3 to 8. Appellant to provide mobile Nos./e-mail address of the Respondent Nos. 3 to 8. Notice be issued through e-mail or any other available mode. Requisites along with process fee be filed within three days.

List the appeal 'for Admission (After Notice)' on **28<sup>th</sup> September, 2020.**

Meanwhile, till the next date of hearing, the 'Liquidator' may go ahead with the liquidation process except insofar as transfer, change or assignment of user of trade mark 'Servomax' is concerned.

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

**[ V.P. Singh ]**  
**Member (Technical)**

**[ Dr. Alok Srivastava ]**  
**Member (Technical)**

/ns/gc/

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