

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

**Company Appeal (AT) (Insolvency) No. 1016 of 2019**

**IN THE MATTER OF:**

**Vishal Gupta**

**...Appellant**

**Vs**

**Aanav Construction Co. & Anr.**

**....Respondents**

**Present:**

**For Appellant: Mr. Ritesh Khare and Mr. Rahul Adlakha, Advocates.**

**For Respondents: Mr. Anuj Mirdha and Mr. Anshu Bhanot, Advocates for R-1.**

**Mr. Amarjit Singh Bedi, Advocate for TATA Motors Finance Ltd.**

**Mr. Saurabh Kalia, Mr. Rajiv Malik and Ms. Saloni Purohit, Advocates for Intervenor.**

**Mr. Rishi Singh, Advocate for IRP.**

**ORDER**

**02.01.2020:** Mr. Saurabh Kalia, Advocate prays for intervention on behalf of one of the Operational Creditor who has also filed application under Section 9 of the I&B Code, which is pending before the Adjudicating Authority. Mr. Amarjit Singh Bedi, Advocate appears on behalf of TATA Motors Finance Limited (Financial Creditor).

Learned counsel for the Appellant submits that Appellant has already settled the matter with the 1<sup>st</sup> Respondent - 'M/s Aanav Construction Co.' (Operational Creditor).

However, before passing any order under Rule 11 of NCLAT Rules, 2016, we feel that the Appellant should also settle the issue with the other financial and operational creditors, who intend to intervene.

Post this appeal 'for orders' on **22<sup>nd</sup> January, 2020**.

Interim order of stay stands vacated.

The Interim Resolution Professional will proceed in accordance with law.

[Justice S. J. Mukhopadhaya]  
Chairperson

[Justice Bansi Lal Bhat]  
Member (Judicial)

*am/sk*