

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 994 of 2020

IN THE MATTER OF:

Sandhya & Co. ...Appellant

Versus

V. Mahesh ...Respondent

Company Appeal (AT) (Insolvency) No. 995 of 2020

IN THE MATTER OF:

Sri Adinath Enterprises ...Appellant

Versus

V. Mahesh ...Respondent

Company Appeal (AT) (Insolvency) No. 996 of 2020

IN THE MATTER OF:

Jai Jinendra Enterprises ...Appellant

Versus

V. Mahesh ...Respondent

Company Appeal (AT) (Insolvency) No. 997 of 2020

IN THE MATTER OF:

Vijayalakshmi Enterprises ...Appellant

Versus

V. Mahesh ...Respondent

Company Appeal (AT) (Insolvency) No. 998 of 2020

IN THE MATTER OF:

V.S. Enterprises ...Appellant

Versus

V. Mahesh ...Respondent

Company Appeal (AT) (Insolvency) No. 999 of 2020

IN THE MATTER OF:

H.S. Syndicate ...Appellant

Versus

V. Mahesh **...Respondent**

Company Appeal (AT) (Insolvency) No. 1000 of 2020

IN THE MATTER OF:

Hemant Mehta & Sons HUF **...Appellant**

Versus

V. Mahesh **...Respondent**

Company Appeal (AT) (Insolvency) No. 1001 of 2020

IN THE MATTER OF:

Vipul Investment **...Appellant**

Versus

V. Mahesh **...Respondent**

Company Appeal (AT) (Insolvency) No. 1002 of 2020

IN THE MATTER OF:

Hemnath & Co. **...Appellant**

Versus

V. Mahesh **...Respondent**

Present:

For Appellant : **Mr. Satish Parasaran, Senior Advocate with
Mr. Pawan Jhabakh and Ms. Ranjana Jain,
Advocates**

For Respondent: **Mr. V. Mahesh, RP
Mr. Anant Merathia, Ms. Poornima Devi, Mr. Rishi
Srinivas, Mr. Rangha Sayee and Ms. Priyanka Varma,
Advocates**

ORDER
(Through Virtual Mode)

24.11.2020

Company Appeal (AT) (Insolvency) No. 995 of 2020

Appellant's application under Section 60(5) of the 'I&B Code' has been dismissed and its claim has been rejected by the Resolution Professional.

The issue raised in this appeal is that the communication of Corporate Debtor dated 19th March, 2020 confirms the 'debt' and the 'debt' falling within

the purview of financial debt being duly secured, the claim could not have been rejected.

Similar issues are raised in '**Company Appeal (AT) (Insolvency) Nos. 994 of 2020; 996 of 2020; 997 of 2020; 998 of 2020; 999 of 2020; 1000 of 2020; 1001 of 2020 and 1002 of 2020**'. The same shall accordingly be taken for consideration along with 'Company Appeal (AT) (Insolvency) No. 995 of 2020' which shall be treated as lead case.

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

At this stage, notice on behalf of Respondent in all the appeals is waived and accepted by Mr. Anant Merathia, Advocate. No further notice needs to be issued upon the Respondent. He may file reply-affidavit on behalf of the Respondent along with Vakalatnama within four weeks. Rejoinder, if any, may be filed by the Appellant within two weeks thereof.

List all the appeals 'for Admission (After Notice)' on **18th January, 2021**.

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

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

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

/ns/gc/