

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Ins) No. 935 of 2020

IN THE MATTER OF:

Directorate of Economic Offences

...Appellant

Versus

Binay Kumar Singhania & Ors.

...Respondents

Present:

For Appellant: Ms. Nandini Sen, Advocate

**For Respondents: Mr. Nipun Gautam and Mr. Naresh Kumar Agarwal,
Advocates for R-1.**

**Mr. Gaurav Mitra and Ms. Shriya Raychaudhuri,
Advocates for R-1 & 3.**

ORDER
(Virtual Mode)

29.01.2021: Learned Counsel for the Appellant submits that there has been a conviction order relating to party concerned and the property concerned is in the custody of Court regarding which she wants to file Affidavit.

The Learned Counsel for the Respondents submits that in this matter there was an earlier order of Adjudicating Authority, Kolkata Bench dated 30.09.2019 which was upheld by this Tribunal in *Company Appeal (AT) (Ins) No. 1361-1362 of 2019*. The Learned Counsel submits that the present Appeal would be required to be considered in the context of these two orders.

As the Learned Counsel for the Appellant wants to file Affidavit as stated above, one opportunity is given. The Appellant may file Affidavit requested by the Learned Counsel within two weeks.

Learned Counsel for the Appellant is permitted to file written submissions in Appeal not more than three pages and copies of judgments on which the Appellant want to rely, within two weeks. Copies of written submissions and copy of Affidavit should be shared with the Learned Counsel for the Respondents.

List the Appeal 'For Admission (After Notice)' on **17th February, 2021.**

[Justice A.I.S. Cheema]
Member (Judicial)

[V. P. Singh]
Member (Technical)

sa/md