

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

**Company Appeal (AT) (Insolvency) No. 864 of 2020**

**In the matter of:**

**Bhaskar Biswas Suspended Director of Oxford  
Facilities Management**

**....Appellant**

**Vs.**

**Avaani Oxford Owners' Association and Ors.**

**....Respondents**

**Present:**

**Appellant: Mr. Soumya Dutta, Mr. Jishnu Saha and Mr. Aniruddha  
Mitra, Advocates.**

**Respondents: Mr. Joy Saha, Senior Advocate with Mr. Avishek Guha,  
Mr. Shashwat Anand, Advocates for R1.  
Mr. Arun Kumar Gupta and Ms. Sneh Maheswari,  
Advocates for R2&3.**

**ORDER**

**08.10.2020:** Apart from the other issues, the question raised for consideration in this appeal is that the amount in question does not qualify as a financial debt.

Issue notice upon Respondents. Notice on behalf of Respondent No.1 is waived and accepted by Mr. Shashwat Anand. Notice on behalf of Respondent Nos. 2 and 3 is waived and accepted by Mr. Arun Kumar Gupta. Service is complete. Respondents may file their reply-affidavits within two weeks. Rejoinder, if any, be filed within two weeks thereof.

It is brought to our notice by Mr. Joy Saha, Senior Advocate that subsequent to the admission of this application under Section 7 the Committee of Creditors was constituted which has recommended liquidation of the Corporate Debtor and application of the Resolution Professional under Section 33 of the Insolvency and Bankruptcy Code, 2016 is pending consideration before

Contd/-.....

the Adjudicating Authority (National Company Law Tribunal), Kolkata Bench, Kolkata. Since the subsequent orders have not been assailed, learned counsel for the Appellant may file an affidavit bringing on record the subsequent developments.

Learned counsel for the parties may also file their written submissions not exceeding three pages along with their pleadings.

List the appeal on 25<sup>th</sup> November, 2020.

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

**[Dr. Ashok Kumar Mishra]  
Member (Technical)**

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

*AR/g*