

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

PRINCIPAL BENCH

Company Appeal (AT) (Insolvency) No. 86 of 2021

IN THE MATTER OF:

Sam Business Continuity Services

...Appellant

Versus

CA Kannan Tiruvengadam and Ors.

...Respondents

Present:

**For Appellant: Ms. Minakshi Jyoti, Mr. Akshat Singh and Mr.
Dharamveer Singh, Advocates**

For Respondents: None

ORDER

(Virtual Mode)

08.02.2021 – Heard Learned Counsel for the Appellant, he submits that the Adjudicating Authority vide order dated 25.09.2019 directed the RP that the claim submitted by Sam Business Continuity Services is to be admitted with a notional amount of Rs. 1 and the same may be taken as a liability, only subject to outcome of the proceedings under Section 34 of the Arbitration and Conciliation Act, 1961 pending before the Hon'ble Delhi High Court.

This order has not been apprised by the RP while the COC have approved the Resolution Plan in the meeting dated 26.09.2019. Thereafter, the Resolution Plan has been approved by the Adjudicating Authority and it is under challenge before this Tribunal by way of Appeal.

Issue notice to the Respondents by speed post. If the Appellant provides the e-mail address of the Respondents, let notice be also issued through email. Requisites alongwith process fee, if not filed, be filed within two days. Also issue notice on I.A. No. 185/2021.

Let the matter be fixed 'For Admission (After Notice) on **10th March,**
2021

[Justice Jarat Kumar Jain]
Member (Judicial)

[Dr. Ashok Kumar Mishra]
Member(Technical)

SC/Kam