

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 782 of 2019

IN THE MATTER OF:

Excel Metal Processors Limited Appellant

Vs

Benteler Trading International
GMBH and Anr. Respondents

Present:

For Appellant: Mr. Javeed and Mr. Harshit Garg, Advocates.

For Respondents:

ORDER

02.08.2019 This Appeal preferred by 'Corporate Debtor' is not maintainable in view of the decision of the Hon'ble Supreme Court in "***Innoventive Industries Ltd. Vs. ICICI Bank and Ors. – (2018) 1 SCC 407***".

In the circumstances, learned Counsel for the Appellant prays for and is allowed two weeks' time to file application for substitution by substituting one of the Shareholders/ Directors as Appellant and to transpose M/s. Excel Metal Processors Limited through 'Interim Resolution Professional' as Respondent No.3.

Post the case 'for orders' on **21st August, 2019**.

[Justice S. J. Mukhopadhaya]
Chairperson

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

[KanthiNarahari]
Member (Technical)

Ash/GC