

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 1392 of 2019

In the matter of:

Amitabh Kumar Jha

....Appellant

Vs.

Bank of India & Anr.

....Respondents

Present:

**Appellant: Mr. Krishnendu Datta, Mr. Nikhil Chawla,
Mr. Aditya Panda and Mr. Jaydeep Krol, Advocates.**

**Respondents: Mr. Anant A. Pavgi and Mr. Siddhartha Nagpal,
Advocates.**

ORDER

07.02.2020: Shri Anant Pavgi, Advocate representing the Interim Resolution Professional submits that he has received five more claims apart from Bank of India (Respondent No.1). Mr. Krishnendu Datta, learned counsel for the Appellant submits that the Appellant intends to settle the claim of all the creditors. However, from order dated 7th January, 2020 we find that the Appellant was granted further opportunity to settle the matter with all the lenders which has not materialized till date. In the given circumstances, we intend to hear the appeal on merit as no Terms of Settlement have been filed.

Affidavit filed by Respondent No. 1 in terms of our previous order is taken on record. From its perusal, it comes to fore that the first date of default by the Corporate Debtor in its account with Respondent No.1 occurred on 30th July, 2018 and based on record of recovery, the account was classified as NPA on 29th October, 2018.

Heard counsel for the parties. Hearing concluded. **Judgment Reserved.**

Parties may file short written submission, not more than two pages, by 12th February, 2020. The intervenors are also permitted to make written submissions within same time.

[Justice Bansi Lal Bhat]
Member (Judicial)

[Justice Venugopal M.]
Member (Judicial)

[V. P. Singh]
Member (Technical)

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