

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 760 of 2020

IN THE MATTER OF:

Amit Goyal

...Appellant

Versus

Shekhar Resorts Ltd. & Anr.

...Respondents

Present:

For Appellant: Mr. Anas Tanvir and Mr. Ankit Yadav, Advocates.

For Respondents: Shri Abhishek Anand, Mr. Vikram Kumar and Mr. Viren Sharma, Advocates for R-1.

Shri Abhishek Garg, Advocate for R-2.

O R D E R
(Through Virtual Mode)

08.09.2020: Apart from other issues raised in this appeal it is contended on behalf of the Appellant that I.A. 2856 of 2020 filed under Section 60(5) alleging fraud and misrepresentation has not been decided by the Adjudicating Authority before approval of Resolution Plan of Respondent No. 2.

At this stage, Shri Abhishek Anand, Advocate appearing on behalf of Respondent No. 1 submits that the appeal is not maintainable. That apart, against the same approved Resolution Plan, in Company Appeal (AT) (Insolvency) No. 689 of 2020 judgment has been reserved by this Appellate Tribunal. In view of the same we are deferring consideration of issue of notice.

Cont'd..../

List the appeal 'for admission (fresh case)' on **25th September, 2020**.

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

**[Justice Anant Bijay Singh]
Member (Judicial)**

**[V. P. Singh]
Member (Technical)**

am/gc