

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

**I.A. Nos. 4033 & 4303 of 2019**

**IN**

**Company Appeal (AT) (Insolvency) No. 1056 of 2019**

**IN THE MATTER OF:**

**Rajesh Goyal**

**...Appellant**

**Vs.**

**Babita Gupta & Ors.**

**...Respondents**

**Present: For Appellant: - Mr. Chandra Shekhar Yadav, Mr. Vivek Kohli, Mr. Sandeep Bhuraria, Ms. Malvika Jain and Ms. Gitanshi Arora, Advocates.**

**For Respondents: - Mr. Praful Jindal, Mr. Siddharth Srivastava, Mr. Pravesh Bahuguna, Advocates.  
Mr. Sumesh Dhawan, Mr. Rajesh Gupta and Mr. Anubhav Mehrotra, Advocates.  
Mr. Pradeep Desodya, Advocate.**

**O R D E R**

**13.01.2020—** Though the matter was discussed earlier but there is nothing on the record to suggest that the Appellant has reached any settlement with the allottees; or Creditors; or other 'Financial Creditors'; 'Financial Institutions' or 'Operational Creditors'. In the circumstances, we are inclined to decide the case on merit and observe that there is no such *prima facie* case made out.

Learned counsel for the Appellant sought for and is allowed time till 17<sup>th</sup> January, 2020 to file an Affidavit enclosing the copy of the 'Terms of Settlement', if any, reached with the 'Interim Resolution Professional'/'Insolvency Professional' on behalf of the allottees and the copy of the

Contd/-.....

settlement, if any, reached with one or other 'Financial Institutions'/ 'Operational Creditors'. He will also enclose therewith a copy of time frame by which it intends to complete the process, the details of persons and the amount which will be disbursed for completion of such project etc. as observed earlier.

Post this appeal 'for orders' on 20<sup>th</sup> January, 2020.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Justice Bansi Lal Bhat)  
Member(Judicial)

(Justice Venugopal M)  
Member(Judicial)

Ar/g