

**National Company Law Appellate Tribunal, New Delhi**

**Principal Bench**

**Company Appeal (AT)(Ins.) No. 266 of 2021**

**IN THE MATTER OF:**

**Nandish Patel**

**...Appellant**

**Vs.**

**Parthiv Parikh,  
Resolution Professional & Ors.**

**...Respondents**

**Present:**

**For Appellant: Appellant in person**

**For Respondent: Mr. Avdhesh Kumar Varshney, Advocate for R1  
Mr. Navin Pahwa, Sr. Advocate with Ms. Aastha  
Mehta, (RA), R2**

**ORDER**

**(Through Virtual Mode)**

**01.04.2021:** Heard the Appellant who is present in person. He submits that the 'Resolution Plan' got approved by playing fraud and suppressing material facts and the 'Corporate Debtor' is not 'MSME'.

Learned Counsel appearing on behalf of Respondent No. 1 and 2 accepts notice.

...contd./

Issue notice to other Respondents through Speed Post as well as e.mail (both mode). Requisites alongwith process fee be filed within two days. If the Appellant provides the e-mail Address of the Respondents, let notice be also issued through e-mail.

Appellant is directed to supply the copy of memo of appeal to R1 and R2 within a week.

Respondents may file reply affidavit within three weeks.

Rejoinder, if any, may be filed by the Appellant within one week thereafter.

It is pointed out by the Appellant that against the approval of 'Resolution Plan' one Appeal i.e. **Company Appeal (AT)(Ins.) No. 201/2021** is pending before this Tribunal.

It is directed that both the Appeals be listed together. Let the matter be fixed for **'Admission' (After Notice) on 11<sup>th</sup> May, 2021.**

**[Justice Jarat Kumar Jain]  
Member (Judicial)**

**[Kanthi Narahari]  
Member (Technical)**

Ss/kam