

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

**Contempt Case (AT) No. 24 of 2020**

**IN**

**Comp. App. (AT) (Ins) No. 1113 of 2019**

**IN THE MATTER OF:**

**State**

**...Petitioners.**

**Versus**

**Manoj K. Daga & Deepak K. Daga**

**...Contemnors.**

**For Petitioners:**

**For Contemnors: Mr. Manoj Kumar Daga, Mr. Deepak Kumar Daga,  
Contemnors.**

**Mr. Neeraj Kr. Gupta, Advocate for Contemnors.**

**Mr. Sandeep Bajaj and Ms. Aakansha Nehra, Advocates for  
R-2 (RP).**

**Mr. Prag Rai (RP)**

**ORDER**  
**(Virtual Mode)**

**14.09.2020** Mr. Neeraj Kumar Gupta, Advocate for the Respondents/Contemnors submits that both the Respondents Mr. Manoj Kumar Daga and Mr. Deepak Kumar Daga are present through Virtual Mode. He submits that by way of Reply, he has already sent an e-mail on Friday submitting unconditional apology. The Court Master informs that no such reply has been received. The Learned Counsel for the Respondents/Contemnors states that he will take needful steps to ensure that their Reply by way of unconditional apology comes before this Tribunal by next date. However, he states that both the Respondents are apologizing for the contempt as brought against them.

It is also stated that the Respondents have approached State Bank of India, the only Financial Creditor for Settlement of dues by way of 'One Time Settlement'.

The Learned Counsel for the Resolution Professional submits that State Bank of India has sent a letter of receiving proposal.

However, as 'Corporate Insolvency Resolution Process' has started and in such contingency, the only way out is complying with the provisions of Section 12 A of the Insolvency and Bankruptcy Code, 2016. Unless the Respondents/Contemnors purge the contempt, there can be no relaxation.

As the last opportunity, we are adjourning this matter at present.

Let the Reply of the Respondents/Contemnors be put on record within a week.

List the Contempt Case on **28<sup>th</sup> September, 2020.**

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

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

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

Basant B./md/