

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 84 of 2020

IN THE MATTER OF:

Chunilal Kanjibhai Gohel

...Appellant

Versus

M/s. Indian Corp Law & Ors.

...Respondents

Present:

**For Appellant : Ms. Namrata Malik and Ms. Srishti Kapoor,
 Advocates**

O R D E R

20.01.2020 Learned counsel appearing on behalf of the Appellant submits that the impugned order was passed on 6th November, 2019 and the certified copy was not supplied to the Appellant. When the Appellant having come to know about the same on 12th November, 2019, he filed it immediately. However, on the safer side, the petition for condonation of delay has been filed.

Learned counsel for the Appellant submits that the notice was not served. Though this fact has been accepted by the Adjudicating Authority, the application under Section 9 of the 'I&B Code' has been admitted.

Let notice be issued on the Respondents by Speed Post. Requisites along with process fee be filed by 21st January, 2020. If the Appellant provides the *e-mail* address of respondents, let notice be also issued through *e-mail*. *Dasti* service is permitted.

Post the case 'for orders' on **3rd February, 2020** before the 1st Bench.

Until further orders, the Interim Resolution Professional will not issue any publication and not to constitute the 'Committee of Creditors', if not yet constituted. However, he will ensure that the company remains a going concern and will take the assistance of the (suspended) Board of Directors. The persons who are working will perform their duties including the paid Directors. The person who is authorised to sign the Bank Cheques may issue cheques only after authorisation of the 'Interim Resolution Professional' with counter signature of the 'Interim Resolution Professional' at the back side of the cheques. In such case, the Bank shall release the payment. The 'Interim Resolution Professional' will place this order before the Banks, in which accounts of the 'Corporate Debtor' are maintained. The Bank Account(s) of the 'Corporate Debtor' be allowed to be operated for day-to-day functioning of the company such as for payment of Current Bills of the Suppliers, Salaries and Wages of the employees'/workmen, electricity bills etc.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansilal Bhat]
Member (Judicial)

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