

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 801 of 2020

IN THE MATTER OF:

Suresh P. Jain HUF & Ors.

...Appellants

Versus

Pellet Energy Systems Pvt. Ltd. & Ors.

...Respondents

Present:

For Appellants: Mr. Rajiv Singh and Mr. Uttam Dutt, Advocate.

**For Respondents: Mr. Lalit Mohan, Advocate with Ms. Reshma Mittal, RP for R-1.
Mr. Amar Dave and Mr. Rahul Arya, Advocates for R-3.
Mr. Abhishek Anand and Mr. Viren Sharma, Advocates for R-4.**

ORDER
(Through Virtual Mode)

21.09.2020: Issue raised in this appeal by the Appellants is that the unsecured Financial Creditors have been left out of consideration while adopting distribution mechanism in terms of the approved resolution plan.

Issue notice upon Respondents. Mr. Lalit Mohan, Advocate waived and accepted notice on behalf of Respondent No. 1. Mr. Rahul Arya, Advocate waived and accepted notice on behalf of Respondent No. 3. Mr. Abhishek Anand, Advocate waived and accepted notice on behalf of Respondent No. 4. No further notice needs to be served upon these Respondents. Appellant to provide complete set of paper book to learned counsels for the Respondents. Respondents may file their reply affidavit within 10 days. Rejoinder, if any, may be filed within 10 days thereof.

Notice be served upon Respondent No. 2 only. Appellant to provide mobile Nos./e-mail address of the Respondent No. 2. Notice be issued through e-mail or any other available mode. Requisites along with process fee be filed within three days.

List the appeal 'for admission (after notice)' on **15th October, 2020.**

Meanwhile, the approved Resolution Plan may be implemented, but its implementation shall be subject to the outcome of this appeal.

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

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

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

am/gc