

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal(AT) No. 96 of 2020

IN THE MATTER OF:

Aqua Terra Adventures India Pvt. Ltd. & Anr. ...Appellants

Vs

Aparna Choudhrie Kala & Ors.Respondents

Present:

For Appellants: Mr. Prashanto Sen, Sr. Advocate along with Mr. Nitish Kant Sharma and Mr. Vijay Kaundal, Advocates.

For Respondents: Mr. Rohan Chawla and Mr. Ashish Dholakia, Advocates.

ORDER

(Through Virtual Mode)

14.08.2020 Heard learned Counsel for the Appellants. He submits that he has already filed Application for clarification/modification before NCLT, Principal Bench, New Delhi on 22.05.2020. Therefore, he submits that NCLT, Principal Bench, New Delhi issued notice to the Respondents therein. The matter is fixed before NCLT, Principal Bench, New Delhi on 15.09.2020. In such circumstances, the Appeal be adjourned.

Learned Counsel for the Respondents is opposing the prayer. He points out that in the Memo of Appeal at paragraph-10.1 it is mentioned that the said Application has not been listed till date and the Application is infructuous upon filing of this Appeal. Thus, the Appellants cannot simultaneously pursue for the same relief in two forums.

At this stage, we are not passing any order.

Let the Appeal be fixed on **28th September, 2020.**

[Justice Jarat Kumar Jain]
Member (Judicial)

(Kanthi Narahari)
Member(Technical)

(Dr. Ashok Kumar Mishra)
Member(Technical)

Akc/Mn