

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Ins) No. 330-331 of 2020

IN THE MATTER OF:

State of West Bengal

....Appellant

Vs.

Keshav Park Pvt. Ltd. & Anr.

....Respondents

Present:

For Appellant: Mr. Arun Kathpalia, Sr. Advocate with Mr. Arindam Guha, Mr. D.N Sharma, Mr. Palzer Moktan, Ms. Diksha Gupta and Ms. Arushi Arora, Advocates

For Respondents:

ORDER

26.02.2020: The issue raised in this appeal is that the claim is barred by limitation.

Let notice be issued on Respondents by Speed Post. Requisites along with process fee, if not filed, be filed by tomorrow. If the Appellant is able to ascertain the email address of Respondents, he may file the same and notice may be issued through email as well.

Meanwhile, the Interim Resolution Professional shall not constitute 'Committee of Creditors' till the next date of hearing, if not yet constituted. The 'Interim Resolution Professional' will ensure that the company remains going concern and will take 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'. 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.

List this appeal 'for admission (after notice)' on **24rd March, 2020**.

[Justice Bansi Lal Bhat]
Member (Judicial)

[V. P. Singh]
Member (Technical)

[Alok Srivastava]
Member (Technical)

sa/nn