

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Ins) No.1008 of 2019

IN THE MATTER OF:

Shubham Jain

...Appellant

Versus

Gagan Ferrotech Ltd. & Anr.

...Respondents

For Appellant: Shri Mansumyer Singh, Advocate holding for Shri Sanchit Garg, Advocate

**For Respondents: Ms. Soumya Dutta, Advocate (R-1)
Shri Kunal Godhwani, Advocates holding for Shri Abhishek Anand, Advocate (for RP – R2)**

O R D E R
(Virtual Mode)

06.01.2021 Shri Kunal Godhwani, Advocates holding for Shri Abhishek Anand, Advocate for Resolution Professional submits that the IRP has been substituted by Resolution Professional (RP) Shri Anurag Nirbhaya. He states that the RP will file Affidavit as was directed on 28th February, 2020 along with particulars regarding further developments. The RP may file the Affidavit within one week.

Shri Mansumyer Singh, Advocate holding for Shri Sanchit Garg, Advocate submits that the Appellant has already settled with the Operational Creditor. The learned Counsel for RP submits that COC (Committee of Creditors) is already there and there is stay to publication of the expression of interest and considering the time which is passing, there are difficulties in the CIRP.

The RP may file the Affidavit as was directed on 28th February, 2020. However, irrespective of the Affidavit and the grievances regarding non-

cooperation being made, we will proceed to hear and decide the Appeal itself on its merits on the basis of record.

List the Appeal 'for admission (after Notice) hearing and decision' on 18th January, 2021.

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

[Dr. Alok Srivastava]
Member (Technical)

rs/md