

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**  
**Company Appeal (AT) (Insolvency) No. 408 of 2020**

**In the matter of:**

**Brightsun Technocraft Pvt. Ltd.**

**....Appellant**

**Vs.**

**B.P. Agency (Delhi) & Anr.**

**....Respondents**

**Present:**

**Appellant: Mr. Pragyan P. Sharma, Mr. Chandan Goswami, Mr. P. C. Joshi, Mr. Eeshan Pandey and Mr. Mohit Makhijani, Advocates.**

**Respondents:**

**ORDER**

**12.03.2020:** After admission of the application under Section 9 of the Insolvency and Bankruptcy Code, 2016, as an appeal by the Corporate Debtor through its Promoter is not maintainable in the light of decision of Hon'ble Supreme Court in '**Innoventive Industries Ltd.' Vs. 'ICICI Bank & Ors.'** in **Civil Appeal Nos. 8337-8338 of 2017** disposed on 31<sup>st</sup> August, 2017, learned counsel for the Appellant sought for and allowed one week time to file a petition for substitution by substituting one of the Director or Shareholder as 'Appellant' and transposing 'Brightsun Technocraft Pvt. Ltd.' (Corporate Debtor) through Interim Resolution Professional as party respondent.

Place the case 'for orders' alongwith petition for substitution on **24<sup>th</sup> March, 2020.**

**[Justice S. J. Mukhopadhaya]**  
**Chairperson**

**[Justice Bansi Lal Bhat]**  
**Member (Judicial)**

**[Shreesha Merla]**  
**Member (Technical)**

*am/gc*