

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 351 of 2020

IN THE MATTER OF:

Earth Gracia Buildcon Pvt. Ltd.

Through its Resolution Professional

Ms. Manish Rawat

...Appellant

Versus

Earth Infrastructure Ltd.

Through its Resolution Professional

Mr. Akash Singhal

...Respondent

Present:-

**For Appellant: Mr. Anuj Tiwari and Mr. Sandeep Bisht,
Advocates.**

**For Respondent: Mr. Anurag Bhatt and Mr. Ashihsh Makhija,
Advocates.**

ORDER
(Virtual Mode)

06.11.2020 Learned Counsel for the Appellant states that in order dated 28th February, 2020 the Respondent is shown as “Committee of Creditors of Earth Gracia Buildcon Pvt. Ltd”. Learned Counsel refers to Memo of Appeal to show that “Committee of Creditors” is not the Respondent but “Earth Infrastructure Ltd”. is the Respondent. In fact, the Cover Page of the Appeal Paper Book filed by the Appellant itself has this error.

The Appellant to correct the cover page of the Appeal Paper Book to show Respondent as “Earth Infrastructure Ltd”.

The correction in array of parties in order dated 28th February, 2020 be carried out and Respondent be shown as “Earth Infrastructure Ltd”.

Learned Counsel for the Respondent states that he has not received copy of the Appeal. Learned Counsel for the Appellant states that he will serve copy of Appeal by e-mail to the Learned Counsel today itself.

Respondent to file Reply within two weeks. Rejoinder, if any, may be filed within a week thereafter.

Parties may file brief Written-Submissions, not more than three pages within three weeks. Copies of Judgments on which they want to refer and rely on, may also be filed separately.

List the Appeal 'For Admission (After Notice) Hearing' on **7th December, 2020.**

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

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

Basant B./nn/