

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 830 of 2020

In the matter of:

Manorama Shandilya & Ors.

....Appellants

Vs.

**Ashish Gupta, Resolution Professional in the Matter
of Anush Finlease and Construction Pvt. Ltd.**

....Respondent

Present:

Appellants: Dr. U.K. Chaudhary, Senior Advocate with Mr. Nikshubha Sethi, Mr. Mansumyer Singh, Mr. Sarthak Mann, Advocates for Appellant Nos.1,2,15,16,18,19. Mr. Rakesh Kumar and Ms. Preeti Kashyap, Advocates for Appellant Nos.5 to 14 and 17

Respondent: Mr. Jayant Mehta, Mr. Ishwar Mohapatra, Mr. Ashish Verma, Mr. Deepak, Advocates for R2. Mr. Suresh Dutt Dobhal, Mr. Nirmal Goenka, Mr. Shikhar Kumar, Advocates for R3, 4 & 5. Ms. Mehak Khurana, Advocate for R1. Mr. Aashish Gupta, Resolution Professional in person.

ORDER

(Through Virtual Mode)

22.01.2021: Learned counsel for the Appellants submits that IA Nos. 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061 & 3062 of 2020 and 49 of 2021 have been filed for withdrawal of appeal as regards Appellant Nos.5 to 14 and 17. In view of the same, appeal to the extent of Appellant Nos.5 to 14 and 17 is dismissed as withdrawn as they claim to be satisfied with the Resolution Plan.

Appeal to the extent of Appellant Nos. 3 and 4 have already been withdrawn. Registry is directed to make a note in this regard on the cause title. Thus, the appeal survives for consideration only in regard to Appellant Nos.1,2,15,16, 18 and 19 only.

Contd/-....

Dr. U.K. Chaudhary, Senior Advocate appears for Appellant Nos.1, 2, 15, 16, 18 & 19. Pleadings are not complete. Let the pleadings be completed in all respects within four weeks. It is made clear that no further extension of time will be granted for completing the pleadings.

Ms. Mehak Khurana, Advocate representing the IRP is directed to file the status report, within two weeks, in regard to implementation of the Resolution Plan clearly indicating the number of allottees to whom possession has been delivered; number of allottees who have paid full or part of the consideration; allottees who seek refund of the amount paid and the current status of the project. Status report will also indicate deviation from the approved Resolution Plan, if any.

Written submissions not exceeding three pages may also be filed by the parties along with the pleadings supported by the relevant case law.

List the appeal 'for admission (after notice)' on 23rd February, 2021.

**[Justice Bansi Lal Bhat]
Acting Chairperson**

**[Kanthi Narahari]
Member (Technical)**

**[Dr. Alok Srivastava]
Member (Technical)**

AR/g