

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**  
**Company Appeal (AT) (Insolvency) No. 1110 of 2020**

**In the matter of:**

**Mohd. Nazim Khan**

**....Appellant**

**Vs.**

**HDFC Bank Ltd. & Anr.**

**....Respondents**

**Present:**

**Appellant:** Mr. Krishnendu Datta, Senior Advocate with Mr. Nilotpal Shyam, Advocate, Mr. Mohd. Nazim Khan (in person) and Ms. Babita Jain, CS.

**Respondents:** Mr. Kunal Tandon, Ms. Kanika Jain, Advocates for R-1  
Mr. Amit Singh Chadha, Senior Advocate with Mr. Prateek Kushwaha, Ms. Deepika Bhugra Prasad, Advocates for R2.

**ORDER**  
**(Through Virtual Mode)**

**23.12.2020:** The issue raised in this appeal is that in terms of impugned order dated 28<sup>th</sup> September, 2020 passed by the Adjudicating Authority (National Company Law Tribunal), New Delhi Court III, the notice directed to Committee of Creditors members for extension of Corporate Insolvency Resolution Process period cannot be supported as Committee of Creditors has already declined to seek extension which has been overlooked by the Adjudicating Authority.

Issue notice upon Respondents. Notice on behalf of Respondent No.1 is waived and accepted by Mr. Kunal Tandon, Advocate. Notice on behalf of Respondent No.2 is waived and accepted by Mr. Amit Singh Chadha, Senior Advocate along with Mr. Prateek Kushwaha, Advocate. Service is complete. No further notice need be issued to them. Mr. Krishnendu Datta, learned Senior Counsel for the Appellant may provide a copy of the appeal paper book to Mr. Kunal Tandon, learned counsel for the Respondent No.1 during the course of the day. Let short response be filed by the Respondents within two weeks.

Cont'd...../

List the appeal 'for admission (after notice)' on **15<sup>th</sup> January, 2021**. The appeal may be disposed of on that date.

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

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

**[Dr. Ashok Kumar Mishra]**  
**Member (Technical)**

*am/gc*