

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 1197 of 2019

IN THE MATTER OF:

Eashkrupa Shipping & Logistics (I) Pvt. Ltd. ...Appellant

Vs

J. M. IndustriesRespondent

With

Company Appeal (AT) (Insolvency) No. 1198 of 2019

IN THE MATTER OF:

Eashkrupa Shipping & Logistics (I) Pvt. Ltd. ...Appellant

Vs

J. M. IndustriesRespondent

Present:

**For Appellant: Mr. Ashish Verma and Mr. Vivek Gupta,
Advocates.**

For Respondent:

ORDER

11.11.2019: These appeals have been preferred by the Appellant against identical orders passed by the Adjudicating Authority (National Company Law Tribunal), Mumbai Bench, Mumbai in C.P.(IB)1868/(MB)/2019 and C.P.(IB)1860/(MB)/2019, one of which reads as follows:-

“ORDER

117. C.P.(IB)-1868(MB)/2019

By our order dated 20.8.2019, Corporate Debtor was allowed seven days for filing a reply. However, to date, the reply has not been filed. Opportunity for filing reply is closed.

Parties are directed to file hard and soft copy of the written submission with further direction to send the same on the email id of the Registrar, NCLT, Mumbai Bench.

List on 11.11.2019 for admission.”

2. Leaned counsel for the Appellant submits that the Appellant wanted to file reply affidavit but time was not granted. However, we are not inclined to interfere with the impugned order as merely the case has been adjourned by the Adjudicating Authority and opportunity has been given to parties to file written submission. In turn, we allow the Appellant to file written submission before the Adjudicating Authority raising any issue as he wants to in those petitions and place any documents in support of its stand.

3. Both the appeals stands disposed of with aforesaid observations. No costs.

[Justice S. J. Mukhopadhaya]
Chairperson

[Justice Venugopal M.]
Member (Judicial)

[Justice Jarat Kumar Jain]
Member (Judicial)

am/gc