

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Company Appeal (AT) (Insolvency)No. 807 of 2019**

**IN THE MATTER OF:**

**IFCI Ltd.**

**.....Appellant**

**Vs.**

**RMOL Engineering and Offshore Ltd.**

**.....Respondents**

**Present :**

**For Appellant:**

**Mr. P.V. Dinesh, Mr. R.S. Lakshman, Mr. Ashwini  
Kumar Singh, Advocates**

**O R D E R**

**07.08.2019** - The Appellant filed an application u/s 7 of the Insolvency & Bankruptcy Code, 2016 ('I&B' Code, for short) against 'RMOL Engineering and Offshore Ltd.' ('Corporate Debtor') on 7<sup>th</sup> November, 2017.

However, almost 18 months had passed, when this Appellate Tribunal by order dated 11<sup>th</sup> April, 2019 passed order in Company Appeal (AT) (Insolvency) No. 373/2019 directing the Adjudicating Authority to dispose of the matters on the next date of hearing (i.e. 30.04.2019). A copy of the order was sent as intimation to Mr. Harihar Prakash Chaturvedi, (Member Judicial) and Ms. Manorama Kumari, (Member Judicial), Adjudicating Authority ('National Company Law Tribunal'), Ahmedabad Bench, Ahmedabad.

**.....contd.**

Inspite of such direction given by this Appellate Tribunal, it appears that the Adjudicating Authority is delaying the matter and adjourn the case on one or other ground. Now more than 630 days been passed and the Adjudicating Authority has yet not passed any order on the application filed under Section 7 of the Insolvency & Bankruptcy Code, 2016 ('I&B' Code, for short) and on 03.07.2019 by Impugned Order adjourned the matter for 21<sup>st</sup> August, 2019.

In the facts and circumstances, we give last opportunity to **Mr. Harihar Prakash Chaturvedi, (Member Judicial) and Ms. Manorama Kumari, (Member Judicial), Adjudicating Authority ('National Company Law Tribunal'), Ahmedabad Bench, Ahmedabad** to pass final order by 21<sup>st</sup> August, 2019 failing which the matter will be referred to the **'President, National Company Law Tribunal, New Delhi and the Secretary, Ministry of Corporate Affairs** for appropriate orders.

The appeal stands disposed of with aforesaid observations. No costs.

The office is directed to immediately communicate this order to Mr. Harihar Prakash Chaturvedi, (Member Judicial) and Mrs. Manorama Kumari, (Member Judicial), Registrar, Adjudicating Authority ('National Company Law Tribunal'), Ahmedabad Bench, Ahmedabad by e-mail, as also by post and also inform them telephonically.

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Let a copy of this order be also sent to Registrar, President, National Company Law Tribunal, 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> Floor, C.G.O. Complex, Lodhi Road, New Delhi and Secretary, MCA, Dr. Rajendra Prasad Road, Rajpath Area, Central Secretariat, New Delhi – 110001 and Registrar, Ahmedabad Bench, NCLT, Anand House, Ground Floor, 1<sup>st</sup> and 2<sup>nd</sup> Floor, Sarkhej – Gandhinagar, Ahmedabad, Gujarat – 380059.

[Justice S. J. Mukhopadhaya]  
Chairperson

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

[Kanthi Narahari]  
Member (Technical)

ss/sk

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