

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
COMAPNY APPEAL (AT)(Ins) NO.748 OF 2019

In the matter of:

R.R.Gopalijee.

Appellant

Vs

Indian Overseas Bank &Ors.

Respondents

Present:

Mr. Kaushik. N.Sharma and Mr. SudhanshuSuman, Advocates for Appellant.

Mr. KunakTandon with Ms. Richa, Advocates for Respondent

Mr. K.V.Balakrishnan, Advocate for IRP.

Mrs. AnasuyaChoudhary, Advocate for Respondnet No.4 Impleader.

ORDER

27.01.2020- Heard learned counsel for the parties as well as the Intervener.

During the course of arguments, learned counsel for the Appellant submits that so far as the claim of intervener is concerned, the Appellant has taken the loan from Sri Ram Housing Finance and for that the arbitration proceedings are going on. Whereas Intervener has filed the application on behalf of Shri Ram City Union Finance. No loan has been taken by Appellant from Intervener.

In this situation, the Intervener counsel is directed to file affidavit till 31st January, 2020 clarify in what capacity Shri Ram City Union Finance has filed the claim before NCLT Chennai as well as this Appellate Tribunal.

Interim Resolution Professional is represented by counsel, submits that this Appellate Tribunal by order dated 24.07.2019, directed not to constitute the Committee of Creditors till further orders and he has not received any modified

order, therefore, he has not constituted the Committee of Creditors. In this regard he seeks permission to file affidavit, explaining the situation. Prayer allowed.

Judgment Reserved.

Parties may file their written submissions not more than 3(three) pages within 3(three) days.

(Justice Jarat Kumar Jain)
Member (Judicial)

(Mr. Balvinder Singh)
Member (Technical)

(Dr. Ashok Kumar Mishra)
Member (Technical)

Rk/kam