

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

**Company Appeal (AT) (Insolvency) No. 45 of 2020**

**IN THE MATTER OF:**

**A. Srinivasan**

**...Appellant**

**Vs.**

**M/s. PMI Engineering Exports Pvt. Ltd.**

**...Respondent**

**Present: For Appellant: - Mr. Arun Kathpalia, Senior Advocate with Ms. Anannya Ghosh and Mr. Brian H. Moses, Advocates.**

**O R D E R**

**10.01.2020—** Learned counsel for the Appellant submits that the application under Section 7 of the Insolvency and Bankruptcy Code, 2016 is barred by limitation.

Let notice be issued on Respondent by speed post. Requisites along with process fee be filed by 13<sup>th</sup> January, 2020. If the Appellant provides the e-mail address of Respondent, let notice be also issued through e-mail.

Post the case 'for orders' on 4<sup>th</sup> February, 2020. The appeal may be disposed of on the next date.

In the meantime, the 'Interim Resolution Professional' will not constitute 'Committee of Creditors' if not yet constituted. However, he will

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ensure that the 'Corporate Debtor' remains a going concern and the manufacturing and production of the company do not suffer, payment of wages to the employees/workmen are made on time and if any material is supplied during corporate resolution process, the payment must be paid to the supplier/creditor. The 'Interim Resolution Professional' will also take aid of (suspended) Board of Directors, paid Directors and employees. The Banks having accounts of the corporate debtor will also cooperate with the 'Interim Resolution Professional' to ensure compliance of this order.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Justice Bansi Lal Bhat)  
Member(Judicial)

Ar/g