

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 688 of 2019

IN THE MATTER OF:

India Oil Corporation Ltd.

...Appellant

Versus

Sandeep Mahajan & Ors.

...Respondents

Present:

For Appellant : **Mr. Rajat Navet, Advocate**

For Respondents: **Mr. Abhishk Anand and Mr. Anant Pavti, Advocates
for 'Resolution Professional'
Mr. Vikas Sharma, Advocate for 3rd Respondent
(Successful Resolution Applicant)**

O R D E R

08.07.2019 Learned counsel appearing on behalf of the Appellant (Indian Oil Corporation Ltd.) submits that apart from the fact that the total claim of the Appellant has not been accepted by the 'Resolution Professional' what was admitted was distributed in a discriminatory manner.

Let Notice be issued on the Respondents by Speed Post.

Mr. Anant Pavgi, Advocate appears on behalf of the 1st Respondent (Resolution Professional) and Mr. Vikas Sharma, Advocate appears on behalf of 3rd Respondent (Successful Resolution Applicant). They are allowed to file reply affidavit and enclose the Chart of distribution percentage of distributed amount on the 'Financial Creditors' and the 'Operational Creditors' within 2 weeks. Rejoinder, if any, be filed by the Appellant within 2 weeks thereof.

Let Notice be issued on the 2nd Respondent (Committee of Creditors) as to why the distribution, if discriminatory, be not substituted by giving the same treatment to the 'Operational Creditors'. Requisite along with process fee, if not filed, be filed by 9th July, 2019. If the appellant provides the *e-mail* address of the 2nd respondent, let notice be also issued through *e-mail*.

Post the appeal 'for Admission (After Notice)' on **7th August, 2019** along with '*Company Appeal (AT) (Insolvency) No. 680 of 2019*'.

During the pendency of the appeal, if 'Resolution Plan' is implemented, that will be subject to decision of this appeal.

[Justice S.J. Mukhopadhaya]
Chairperson

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

[Kanthi Narahari]
Member (Technical)

/ns/gc