

**National Company Law Appellate Tribunal, New Delhi**

**Company Appeal (AT) (Ins) No. 934 of 2020**

**IN THE MATTER OF:**

**M/s Dreamz Infra India Ltd.  
Through Shri Ashok Kriplani (RP)**

**...Appellant**

**Vs.**

**Pratap Chandra Padhy**

**...Respondent**

**Present:**

**For Appellant: Mr. Sunder Khatri, Advocate and Mr. Ashok Kriplani (RP).**

**For Respondent: None**

**ORDER**

**(Through Virtual Mode)**

**23.12.2020:** Heard the Learned Counsel for the Appellant. It transpires that Resolution Professional of the Appellant Company Mr. Ashok Kriplani had filed an Affidavit that on 26.11.2020, the copy of the Appellant was transmitted through speed post, 'India Post' to be served upon the Respondent at the address mentioned by the Appellant/Deponent. However, the Respondent could not be served at the given address and the same was returned 'with an endorsement by the Postal Authority Item returned no such person in the address'.

At this juncture, the Learned Counsel for the Appellant brings to the notice of the Tribunal that the Respondent was also served through e-mail on 21.11.2020 at the e-mail address provided by the Respondent [pratap626104padhi@gmail.com](mailto:pratap626104padhi@gmail.com). through which he had earlier communicated with the deponent as regards the engagement of Interim Resolution Professional for 'CIRP' of the Corporate Debtor.

In effect, the plea of the Appellant is that the Respondent was duly served and the proof of service was enclosed along with the Affidavit filed before this Tribunal. Taking into consideration of the fact that the Respondent was served via e-mail dated 21.11.2020 at the e-mail address

furnished by the Respondent, this Tribunal opines that the service effected upon the Respondent is sufficient and accordingly it is held sufficient.

Today, when the matter is called for hearing, there is representation on the side of the Appellant through the Learned Counsel Mr. Sunder khatri. However, on behalf of the Respondent there is no representation through either in person i.e. (through Virtual mode) or through appearance of the Learned Counsel on his behalf.

The Learned Counsel for the Appellant is required to file 'Notes of Submissions' together with 'Compilation of Judgement' containing not more than four pages on or before 06.01.2021. The Office of the Registry is permitted to receive the same.

The Registry is directed to List the matter on 22.01.2021.

Till the next date of hearing, Interim Order dated 29.10.2020 shall continue.

**[Justice Venugopal M.]**  
**Member (Judicial)**

**[Ms.Shreesha Merla]**  
**Member (Technical)**

sr/nn

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