

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

**Company Appeal (AT) (Ins.) No. 346 of 2020**

**IN THE MATTER OF:**

**Gyanchand Mutha**

**...Appellant.**

**Versus**

**M/s. Aditya Birla Money Ltd. & Anr.**

**...Respondents.**

**Present:**

**For Appellant: Mr. Susshil Dagga and Ms. Mamta, Advocates.**

**For Respondent: Ms. Raddhika Khanna and Wamika Trehan,  
Advocates for R-1.**

**Mr. Amol Vyas and Mr. Saumil Sharma,  
Advocates for R-2.**

**ORDER  
(Virtual Mode)**

**29.01.2021** Learned Counsel for Respondent No. 1 seeks time to file Reply-Affidavit.

2. The opportunity was given on 28<sup>th</sup> February, 2020. In spite of passing of so much time, the Reply-Affidavit has not been filed. Various reasons are being given by Learned Counsel for Respondent No. 1. However we consider the fact that this Tribunal has been functioning in spite of difficulties of Covid-19 Pandemic and various parties have not only filed the Appeals and Replies but also the matters were heard and disposed. We do not find any justification for non-filing of Reply in the submissions made by Learned Counsel for Respondent No. 1.

3. The Ld. IRP is submitting that there is stay to the formation of 'CoC' and because of the same, the 'CIRP' is also in difficulty. We do not appreciate the manner in which Respondent No. 1 has met this Appeal.

4. In spite of above, we give one last opportunity to file Reply-Affidavit by 3<sup>rd</sup> February, 2021.

5. Parties may file brief 'Written-Submissions' not more than three pages along with Copies of Judgments on which, parties want to refer and rely on by 05<sup>th</sup> February, 2021.

List the Appeal 'For Admission (After Notice)' Hearing on **10<sup>th</sup> February, 2021.**

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

**[Mr. V.P. Singh]**  
**Member (Technical)**

Basant B./md.

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