

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 1113 of 2020

In the matter of:

Madhya Pradesh Paschim Kshetra Vidyut Vitaran Co. Ltd.Appellant

Vs.

Jagdish Kumar & Anr.Respondents

Present:

Appellant: Mr. Manu Aggarwal, Ms. Ankita Bansal, Advocates.

ORDER
(Through Virtual Mode)

23.12.2020: The issue raised in this appeal by the Appellant- 'Madhya Pradesh Paschim Kshetra Vidyut Vitaran Co. Ltd.' is that in terms of the impugned order dated 5th March, 2020, the Adjudicating Authority (National Company Law Tribunal), Indore Bench at Ahmedabad, Court 1 while approving the Resolution Plan of Respondent No.2 in the Corporate Insolvency Resolution Process (CIRP) of Corporate Debtor- 'Madhya Bharat Phosphate Pvt. Ltd.' directed restoration of deposit of Corporate Debtor which according to Appellant would amount to directing the Appellant- Operational Creditor to make payment to the Corporate Debtor while no subsisting deposit of Appellant was lying with the Corporate Debtor at that time. That apart, it is contended on behalf of the Appellant by Mr. Manu Aggarwal, Advocate that no notice has been given by the IRP/ RP during the CIRP to Appellant in regard to its claim.

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Issue notice against the Respondents in appeal as also in I.A No. 2989 of 2020. Appellant to provide mobile Nos./ e-mail address of the Respondents. Notice be issued through e-mail or any other available mode. Requisites along with process fee be filed within one week.

List the appeal 'for admission (after notice)' on 9th February, 2021.

[Justice Bansi Lal Bhat]
Acting Chairperson

[Justice Anant Bijay Singh]
Member (Judicial)

[Dr. Ashok Kumar Mishra]
Member (Technical)

am/gc