

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

**Company Appeal (AT) (Insolvency) No. 216 of 2021**

**IN THE MATTER OF:**

**Satya Prakash & Ors.**

**...Appellants**

**Versus**

**Bhushan Power & Steel Ltd.  
Through Monitoring Agency & Anr.**

**...Respondents**

**Present:**

**For Appellants: Mr. Rakesh Kumar and Ms. Preeti Kashyap,  
Advocates.**

**For Respondents: Mr. Abhinav Vasisht, Sr. Advocate with Mr. Vaijayant  
Paliwal, Ms. Charu Bansal, Mr. Shreyas Gupta, Ms.  
Prabh Simran Kaur, Advocates for R-1 & 2.**

**ORDER**  
**(Through Virtual Mode)**

**23.03.2021:** I.A. No. 498/2021 is disposed off with direction to file certified copy of the impugned order within one week of same being made available to the Appellant.

The issue raised in this appeal against order dated 2<sup>nd</sup> February, 2021 passed by the Adjudicating Authority (National Company Law Tribunal) New Delhi Principal Bench is that the Appellant's employees have been asked to go for compulsory retirement during the CIRP without there being an Employment Policy in place and the action taken is discriminatory.

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Issue notice upon Respondents. Mr. Vaijayant Paliwal, Advocate waived and accepted notice on behalf of both the Respondents. No further notice needs to be served upon Respondents. Respondents may file reply affidavit within one week. Rejoinder thereto, if any, may be filed within one week thereof. Short written submissions, not exceeding two pages, together with compilation of relevant case law may also be filed alongwith the pleadings.

Post the matter 'for admission (after notice)' on **16<sup>th</sup> April, 2021**.

**[Justice Bansi Lal Bhat]  
Acting Chairperson**

**[Dr. Ashok Kumar Mishra]  
Member (Technical)**

*am/gc*