

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

**Company Appeal (AT) (Insolvency) No. 570 of 2019**

**IN THE MATTER OF:**

**Naranbhai Dahyabhai Chavda & Anr.**

**...Appellants**

**Vs.**

**M/s. Dharmendra Enterprise & Ors.**

**...Respondents**

**Present: For Appellants - Mr. Hardik Luthra, Advocate.**

**O R D E R**

**08.07.2019—** Having heard learned counsel for the Appellant and being satisfied with the grounds, delay of 13 days in preferring the appeal is hereby condoned. I.A. No. 1756 of 2019 stands disposed of.

Learned counsel for the Appellants submits that the matter has been settled with 1<sup>st</sup> Respondent on 1<sup>st</sup> July, 2019 which is also accepted by Mr. Nihal Ahmed, learned counsel appearing on behalf of 'M/s. Dharmendra Enterprise'.

In this circumstance, we issue notice to 2<sup>nd</sup> Respondent, 'Resolution Professional' by speed post. Requisite along with process fee, if not filed, be filed by 9<sup>th</sup> July, 2019. If the Appellant provides the e-mail address of 2<sup>nd</sup> Respondent, let notice be also issued through e-mail. Learned counsel for the Appellant will serve a copy of this order to the 'Resolution Professional'.

Contd/-.....

Post the case 'for orders' on 24<sup>th</sup> July, 2019.

In the meantime, the 'Resolution Professional' will not constitute the 'Committee of Creditors', if not yet constituted. However, the 'Resolution Professional' will ensure that the company remains a going concern and the manufacturing and production of the company do not suffer, payment of wages to the employees/workmen are made on time and if any material is supplied during 'Corporate Resolution Process', the payment must be paid to the supplier/creditor. The 'Resolution Professional' will also take aid of (suspended) Board of Directors, paid Directors and employees. The Banks having accounts of the 'Corporate Debtor' will also cooperate with the 'Resolution Professional' to ensure compliance of this order.

(Justice S.J. Mukhopadhaya)  
Chairperson

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

(Kanthi Narahari)  
Member(Technical)

Ar/g