

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 919 of 2020

IN THE MATTER OF:

Radico Khaitan Ltd.

....Appellants

Vs

BT & FC Pvt. Ltd. and Ors.

....Respondents

Present:

**For Appellants: Ms. Wamika Trehan, Mr. Ajay Bhargava,
Mr. Udayarkar Rangarajan, Mr. Avinash
Balakrishna and Ms. Maithili Moondra, Advocates.**

For Respondents: Mr. Pankaj Srivastava, RP for R-1 & 6.

Ms. Bhuvaneshwari Ramanathan, RP for R-2 & 7.

**Mr. Abhishek Singh and Ms. Aayushi Mishra,
Advocates for R-3 & 4.**

ORDER

(Through Virtual Mode)

10.12.2020: Appellant has filed Affidavit of Service, which is taken on record. It appears that all Respondents except Respondent Nos. 1 and 2 have been served. Respondent Nos. 1 and 2 are stated to be the Corporate Debtors, who are represented by their Resolution Professionals. Shri Pankaj Srivastava, Resolution Professional appears on behalf of Respondent No. 1. Ms. Bhuvaneshwari Ramanathan, Resolution Professional appears on behalf of Respondent No. 2. Service is complete.

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Reply affidavit filed on behalf of Respondent Nos. 3 and 4 is taken on record. Respondent Nos. 6 and 7 are Resolution Professionals respectively representing Respondent Nos. 1 and 2. There is no appearance on behalf of Respondent No. 5. Its appearance is awaited.

Appellant may file rejoinder, if any, to reply affidavit filed by Respondent Nos. 3 and 4 within two weeks. Short written submission, not exceeding three pages, may be filed by the Appellant within two weeks with advance copy provided to learned counsel for Respondent No. 3 and 4, who may file their written submission within two weeks thereof.

I.A. No. 2730 of 2020

Heard learned counsel for Respondent Nos. 3 and 4/Applicants. Since we have, in terms of order dated 20th October, 2020 specifically directed that as an interim till next date of hearing no Resolution Plan shall be approved or liquidation order be passed in Corporate Insolvency Resolution Process undertaken against the Corporate Debtor, there is no need to recall or review the same order as we never meant to stall the Corporate Insolvency Resolution Process, which will continue but the Adjudicating Authority will not pass final order of approving the Resolution Plan or sending the Corporate Debtor into Liquidation. I.A. No. 2730 of 2020 stands disposed of.

Interim direction to continue till next date of hearing.

List the matter 'for admission (after notice)' on **12th January, 2021.**

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

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

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

am/gc