

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Ins) No. 176-178 of 2020

IN THE MATTER OF:

Vishal Ghisulal Jain Resolution Professional **....Appellant**

Vs.

Amar Universal Pvt. Ltd. **....Respondent**

Present:

For Appellant: Mr. Abhijit Sinha, Ms. Udit Singh and Mr. Aditya Shukla, Advocates

For Respondent:

O R D E R

29.01.2020: Learned Counsel for the Appellant submits that in so far as delivery/ possession of the premises in question is concerned, the same has been complied with and this fact has also been reflected in the order dated 18.12.2019 passed by the learned Adjudicating Authority in M.A. 3558/2019.

Learned Counsel for the Appellant submits that the Appellant is aggrieved of the direction in terms of the Impugned Order so far as the same relates to the clarification regarding payment of entire amount claimed by the Operational Creditor. It is submitted that in the light of the order passed by this Appellate Tribunal on 20.11.2019 in Company Appeal (AT) (Ins) No. 1324 of 2019, such amount cannot be inclusive of the pre Corporate Insolvency Resolution Process claims.

Let notice be issued on Respondent by Speed Post. Requisites along with process fee, if not already filed, be filed by tomorrow. If the Appellant is able to ascertain the email address of Respondent, he may file the same and notice may be issued through email as well.

Meanwhile, the direction in terms of the Impugned order in regard to payment of entire dues shall not be enforced in regard to pre Corporate Insolvency Resolution Process claims in terms of the order passed by this Appellate Tribunal earlier and no coercive steps shall be taken to enforce liability for the pre Corporate Insolvency Resolution Process period, till the next date of hearing.

List this appeal 'For Admission (After Notice)' on **14th February, 2020**.

[Justice Bansi Lal Bhat]
Member (Judicial)

[V. P. Singh]
Member (Technical)

[Shreesha Merla]
Member (Technical)

sa/nn