

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 391 of 2020

In the matter of:

Vijay Kumar Singh

....Appellant

Vs.

Anil Kumar & Ors.

...Respondents

Present

For Appellant

Mr. Gautam Singhal, Advocate.

For Respondents:

Mr. Rajendra Kumar Beniwal along with Mr. anil Kumar, (Liquidator)/ R-1.

Mr. Sampurna Gupta & Ms. Amita, Advocates.

Mr. Kumar Sumit, Advocate for R-1.

Mr. Piyush Beriwal along with Mr. Ankit Raj, Advocate for R-2.

Mr. Chander Harsh Joon along with Mr. Ashish Rana, Advocates for R-3.

Mr. Sanjeev Singh, Mr. Prashant Tripathi, Mr. Kisalay Krtikey & Mr. Sam Panna Pani , Advocates for R-4.

Mr. Sagar Bansal, Advocate for R-5.

Ms. Gurmeet Bindra, Advocate for R-6.

ORDER

(Virtual Mode)

20.08.2020: Mr. Chander Harsh 'Bank Officer' seeks time to file Reply/ Response. On behalf of Appellant, I.A. No. 1855 of 2020 is filed before this Tribunal, stating that the Respondent No.- 2 was 'Oriental Bank of Commerce' had amalgamated into that of 'Punjab National Bank' with effect from 01.04.2020. Hence, the 'Punjab National Bank' is necessary Party to be arrayed as Respondent No. -2 in an instant Appeal, instead of 'Oriental Bank

of Commerce'. There is no objection from the Respondent's side for this tribunal to allow the instant amendment application.

In view of the fact that the 'Oriental Bank of Commerce' (earlier as Respondent No. -2) had got amalgamated with that of Punjab National Bank with effect from 01.04.2020 which is a subsequent development this Tribunal deems it fit in proper and allowing the amendment of Interlocutory Application No. 1855 of 2020, of course, in the interest of justice. No costs.

Consequent to the allowing of I.A. No. 1855 of 2020 by this Tribunal today, the Learned Counsel for the Appellant is directed to carry out correction in the Appeal Paper Book within one week from today. Now, the Respondent No. -2 for filing of 'Reply'/'Response' of newly added party/ Punjab National Bank at request of the Learned Counsel two weeks' time is granted from today.

Mr. Ashish Rana the Learned Counsel for Respondent No.- 3 seeks time to file 'Reply' accordingly he is granted two weeks' time to file 'Reply'/'Response'

Mr. Sanjeev Singh the Learned Counsel for Respondent No.- 4 seeks time to file 'Reply' accordingly he is granted two weeks' time to file 'Reply'/'Response'.

Mr. Sagar Bansal the Learned Counsel for Respondent No.- 5 seeks time to file 'Reply' accordingly he is granted two weeks' time to file 'Reply'/'Response'.

Ms. Gurmeet Bindra the Learned Counsel for Respondent No.- 6 seeks time to file 'Reply'/'Response' and accordingly two weeks' time is granted for filing of 'Reply'/'Response'. She is also permitted to file necessary interlocutory application in regard to the movable property and accordingly she is granted permission in this regard.

'Reply'/'Response' of the concerned Respondents may be served to the Learned Counsel for other side one week before the next date of hearing. Rejoinder, if any, can be filed by the Appellant within three days thereafter. The Learned Counsel for the 'Punjab National Bank' is to be served with a copy of Reply of Respondent No. -1 within ten days from today.

The Registry is directed to list the matter on **10th September, 2020.**

[Justice Venugopal M.]
Member (Judicial)

[Dr. Ashok Kumar Mishra]
Member (Technical)

Sim/Md