

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 169 of 2020

IN THE MATTER OF:

Shaileshbhai Maganbhai Patel

...Appellant

Versus

**Arvind Gaudana,
Resolution Professional of
Regent Granito (India) Ltd. & Ors.**

...Respondents

Present:

For Appellant: Mr. Vivek Sibal and Mr. Sushant Tomar, Advocates.

**For Respondent: Mr. Rajiv Roy, Mr. A.J. Chaterjee and Mr. Anurag Singh,
Advocates.**

Mr. Gautam Singh, Ms. Asha Mehta, Advocates for RP.

WITH

Company Appeal (AT) (Insolvency) No. 149-150 of 2020

IN THE MATTER OF:

Exxaro Tiles Pvt. Ltd.

...Appellant

Versus

**Arvind Gaudana,
Resolution Professional of
Regent Granito (India) Ltd. & Ors.**

...Respondents

Present:

For Appellant: Ms. Shilpa Chaudhary, Advocates.

**For Respondent: Mr. Rajiv Roy, Mr. A.J. Chaterjee and Mr. Anurag Singh,
Advocates.**

Mr. Gautam Singh, Ms. Asha Mehta, Advocates for RP.

O R D E R

28.01.2020 Referring Page 183 of the Appeal paper book in *Company Appeal (AT) (Insolvency) No. 169 of 2020* relating to receipt of sale certificate dated 10th January 2020 by Respondent No. 4 (Purchaser), Learned counsel for the Appellant submits that the impugned order suffers from error in as much as the

sale certificate has been issued prior to the commencement of 'Corporate Insolvency Resolution Process'.

Thus, it is submitted by the learned counsel for the Appellant, the impugned order is erroneous.

Mr. Rajiv Roy, Advocate accepts notice on behalf of the Respondent No. 2 and Mr. Gautam Singh, Advocate accepts notice on behalf of 'Resolution Professional'. No further notice need to be issued on them. Learned counsel for the Appellant will serve copy of paper book on learned counsel for the Respondent(s) by 29th January, 2020. They may file Reply-Affidavit within One week. Rejoinder, if any, be filed within One week thereof.

Let notice be issued upon rest of the Respondents by Speed Post. Requisites along with process fee, if not filed, be filed by 29th January, 2020. If the Appellant provides *e-mail* addresses of rest of the Respondents, let notice be also issued through *e-mail*.

Post the case 'For Admission (After Notice)' on **12th February, 2020** along with *Company Appeal (AT) (Insolvency) No. 149-150 of 2020*.

Operation of impugned order shall remain on hold till next date of hearing.

[Justice Bansi Lal Bhat]
Member (Judicial)

[Vijai Pratap Singh]
Member (Technical)

[Shreesha Merla]
Member (Technical)