

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

**Company Appeal (AT) (Insolvency) No. 357 of 2020**

**IN THE MATTER OF:**

**Rajesh Kumar Tripathi**

**...Appellant**

**Versus**

**Era Housing & Developers  
(P) Ltd. & Ors.**

**...Respondents**

**Present: For Appellant : Mr. Apoorv Agarwal and Ms. Megha Choubey,  
Advocates**

**O R D E R**

**02.03.2020** After perusing the impugned order, we find that based on the decision of the 'Committee of Creditors' and having regard to the fact that the 'Corporate Insolvency Resolution Period' has expired, the Adjudicating Authority accepted the application of the 'Resolution Professional' and directed that the 'Corporate Debtor' be sent for 'Liquidation'. Learned counsel for the Appellant submits that the order is not sustainable in view of the order passed by this Appellate Tribunal on 20<sup>th</sup> September, 2019 in '**Edelweiss Asset Reconstruction Company Limited vs. Sachet Infrastructure Pvt. Ltd.** - 'Company Appeal (AT) (Insolvency) No. 377 of 2019 & other connected appeals. The Appellant may satisfy us with regard to his *locus standi* to assail the decision of 'Committee of Creditors' being open to challenge.

List the appeal on **24<sup>th</sup> March, 2020.**

[ Justice Bansilal Bhat ]  
Member (Judicial)

[Justice Venugopal M.]  
Member (Judicial)

[ Shreesha Merla ]  
Member (Technical)

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