

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
Company Appeal (AT) (Insolvency) No. 136 of 2021**

**In the matter of:**

**Export-Import Bank of India (Exim Bank)**

**....Appellant**

**Vs.**

**Raj Kumar Ralhan, Resolution Professional M/S  
Parabolic Drugs Ltd. & Ors.**

**....Respondents**

**Present:**

**Appellant: Mr. Rakesh Gupta, Mr. Rakshit Gupta, Advocates.**

**Respondents: Mr. Sumesh Dhawan, Ms. Vatsala Kak, Ms. Ankita Bajpai, Advocates for R1.  
Mr. Abhishek Anand, Mr. Viren Sharma, Advocates for R3.**

**ORDER**

**(Through Virtual Mode)**

**01.03.2021:** The issue raised in this appeal filed against the order dated 12<sup>th</sup> January, 2021 passed by the Adjudicating Authority (National Company Law Tribunal), Chandigarh Bench, approving the Resolution Plan of Corporate Debtor submitted by 'M/s. Akums Drugs & Pharmaceuticals Ltd.' is that the same is violative of Section 30(2) of the Insolvency and Bankruptcy Code, 2016 ("I&B Code" for short) inasmuch as the Appellant- dissenting Financial Creditor was not granted priority in distribution mechanism adopted in the approved Resolution Plan in terms of Regulation 38(1) (c) of the 'I&B Code'.

Issue Notice upon Respondents. Notice on behalf of Respondent No.1 is waived and accepted by Mr. Sumesh Dhawan, Advocate. Notice on behalf of Respondent No.3 is waived and accepted by Mr. Abhishek Anand, Advocate.

Let notice be issued on Respondent No.2. Appellant to provide mobile Nos./ e-mail address of the Respondent No.2. Notice be issued through e-mail or any other available mode. Requisites along with process fee be filed within three days.

Contd/-.....

Since the appeal is limited to the extent of mode of distribution only, filing of reply-affidavits and rejoinder may not be required. However, learned counsel for the Respondents submits that they be provided an opportunity to file short reply. Let short reply along with written submissions not exceeding two pages be filed within two weeks. Appellant may also file a rejoinder along with written submissions not exceeding two pages within two weeks thereof.

List the appeal 'for admission (after notice)' on 5<sup>th</sup> April, 2021.

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

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

***AR/g***