

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 282 of 2021

IN THE MATTER OF:

Ishita Halder

...Appellant

Versus

Mr. Siba Kumar Mohapatra & Anr.

...Respondents

Present:

For Appellant: Mr. Joy Saha, Sr. Advocate with Mr. DN Sharma and Arani Guha, Advocates.

For Respondent: Mr. Siba Kumar Mohapatra, R-1, RP. Mr. Sanjay Kapur, (AOR), Mr. VM Kannan, Ms. Megha Karnwal and Mr. Arjun Bhatia, Advocates for R-2 (SBI).

ORDER
(Virtual Mode)

06.04.2021 Heard.

2. Issue notice on delay condonation application as well as Appeal to the Respondent No. 1 by Speed-Post. Requisites along with process fee be filed, if not filed within three days. If the Appellant provides the e-mail address of Respondent No. 1, let notice also be issued through e-mail.

3. Mr. V.M. Cannan, Advocate appears on behalf of State Bank of India-Respondent No. 2 and waives service of formal notice.

4. Respondents to file Reply-Affidavits within two weeks. Rejoinder, if any, may be filed within a week, thereafter. Parties to file brief 'Written-Submissions' not more than three pages and 'Copies of Judgments' on which, they want to refer and rely on, separately, within two weeks.

5. In the meantime, the 'Interim Resolution Professional' will ensure that the company remains going concern and will take assistance of the

(suspended) Board of Directors. The persons who are working will perform their duties including the paid Directors. The person who is authorised to sign the bank cheques may sign cheques only after authorisation of the 'Interim Resolution Professional' with counter signature of the 'Interim Resolution Professional' at the back side of the cheques. In such case, the Bank shall release the payment. The Interim Resolution Professional will place this order before the Banks, in which accounts of Corporate Debtor are maintained. The Bank Account(s) of the 'Corporate Debtor' be allowed to be operated for day-to-day functioning of the company such as for payment of Current Bills of the Suppliers, Salaries and Wages of the employees'/workmen, electricity bills etc.

6. List the Appeal 'For Admission (After Notice)' Hearing on **12th May, 2021**.

[Justice A.I.S. Cheema]
Member (Judicial)

[Dr. Alok Srivastava]
Member (Technical)

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