

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

**Comp. Appeal (AT) (Ins) No.461 of 2019**

**IN THE MATTER OF:**

**Chhattisgarh Distilleries Ltd.**

**...Appellant**

**Versus**

**Dushyant Dave & ors.**

**...Respondents**

**Present:**

**For Appellant: Ms. Anannaya Ghosh, Advocate. Ms. Shruti Agrawal, Advocate for Applicant.**

**For Respondent: Mr. Anoop Prakash Awarthi Advcoate for Respondent No.1 Mr. Jatin Kumar and Ms. Shreya Seth, Advocate for Respondent No.2 and 4. Mr. Rajesh Gautam and Mr. Anant Gautam, Advocate for Financial Creditor and Mr. Prashant S. Kenjale, Advocate for Intervener.**

**With**

**Comp. Appeal (AT) (Ins) No.613 of 2019**

**IN THE MATTER OF:**

**Abhay**

**...Appellant**

**Versus**

**Dushyant Dave & ors.**

**...Respondents**

**Present:**

**For Appellant: Ms. Sunanda Tulsyan, Advocate with Mr. Abhay.S Ex-Director of the Appellant.**

**For Respondent: Mr. Anoop Prakash, Advocate for Resolution Professional.**

**O R D E R**

**12.03.2020** Learned counsel for the Applicant in IA No. 4085 of 2019 with the prayer to implead the Applicant as Appellant in Company Appeal (AT)(INS) No. 461 of 2019.

The Applicant Operational Creditor is aggrieved with the resolution plan. Which is approved by the Adjudicating Authority. Whereas the Appeal is for direction to consider the new resolution plan and reconsider the already approved resolution plan. The Applicant's prayer is altogether different from the subject matter of this Appeal. Therefore, we are of the view that the Applicant cannot be impleaded as Appellant in Company Appeal (AT)(INS) No. 461 of 2019.

Hence, the Application is hereby dismissed.

Heard learned counsel for the parties at length.

**Judgment Reserved.**

**[Justice Mr. Jarat Kumar Jain]  
Member (Judicial)**

**[Mr. Balvinder Singh]  
Member (Technical)**

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

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