

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
Company Appeal (AT) (Insolvency) No. 192 of 2021**

**In the matter of:**

**Indiabulls Asset Reconstruction Company Ltd.**

**....Appellant**

**Vs.**

**Pawan Kapoor**

**....Respondent**

**Present:**

**Appellant: Mr. Abhinav Vasisht, Senior Advocate with Mr. Sumesh Dhawan, Ms. Vatsala Kak, Ms. Geetika Sharma, Advocates.**

**Respondent: Ms. Ranjana Roy Gawai, Mr. Pervinder, Mr. Vineet, Advocates.**

**ORDER**

**(Through Virtual Mode)**

**15.03.2021:** I.A. No. 445 of 2021 has been filed by the Appellant for seeking exemption from filing certified copy of the impugned order dated 25<sup>th</sup> February, 2021. I.A. No. 445 of 2021 stands disposed off with direction to the Appellant to file the certified copy of the impugned order within one week of the same being made available to it.

One of the issues raised in the instant appeal preferred against the order dated 25<sup>th</sup> February, 2021 passed by the Adjudicating Authority (National Company Law Tribunal), New Delhi, Court-IV, allowing the application of the Respondent and directing restoration of the subject matter of application to Interim Resolution Professional consequent upon slapping of Moratorium is that the Respondent withheld information from the Adjudicating Authority that

Contd/-.....

such property had got transferred and vested with the Appellant and the interim Moratorium under Section 96 of the Insolvency and Bankruptcy Code, 2016 ("I&B Code" for short) was not applicable to the said property.

Issue Notice upon Respondent. Notice on behalf of Respondent is waived and accepted by Ms. Ranjana Roy Gawai, Advocate. No further notice need be issued to her. Respondent may file reply-affidavit within 10 days. Rejoinder, if any, be filed within 10 days thereof.

Short written submissions not exceeding three pages may also be filed by the parties along with the pleadings supported by the relevant case law.

List the appeal 'for admission (after notice)' on 7<sup>th</sup> April, 2021.

**I.A. No. 446 of 2021:** Meanwhile, the impugned order shall remain stayed with further interim direction that the subject matter shall be preserved in its present state till next date of hearing.

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

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

***AR/nn***