

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL**

**NEW DELHI**

**CONTEMPT CASE (AT) NO.25 OF 2020**

**IN**

**COMPANY APPEAL (AT)(INSOLVENCY) NO.279 OF 2020**

**In the matter of:**

Madhu Khandelwal & Anr

Applicants

Vs

Sartaj Ali & Ors

Non-applicants

Mr. Anjuman Tripathy, Advocate for the applicant.

**ORDER**

**08.09.2020-** Heard learned counsel for the applicant. He submits that the non-applicants have settled the matter in this Tribunal and on the basis of the settlement, Tribunal vide its order dated 17.2.2020 passed the order. The Non-Applicants have not complied the conditions of the settlement and have not paid the 2<sup>nd</sup> and 3<sup>rd</sup> instalments. It is also submitted that the Tribunal, while passing the order, has also given liberty to the applicant that if the non-applicants fails to pay the rest of the amount to the applicant (operational creditor), it will be open to her to move petition for initiation of contempt proceedings on the promoters, directors and officers of the corporate debtor and for revival of the Corporate Insolvency Resolution Process. Hence the contempt proceedings may be initiated.

Issue notice to the Non-applicants as to why the contempt proceedings may not be initiated against them. Requisites alongwith process fee, if not filed, be filed by tomorrow. If the applicant provides the email address of the non-applicants, let notice be also issued through email. Applicant is also

permitted to serve the non-applicants through email directly. Let the matter be fixed on **21.9.2020**.

**(Justice Jarat Kumar Jain)**  
**Member (Judicial)**

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

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

**Bm/nn**