

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 397 of 2020

IN THE MATTER OF:

Skyville-Residents Welfare Association **...Appellant**

Versus

Rational Buildcon Pvt. Ltd. & Ors. **...Respondents**

Company Appeal (AT) (Insolvency) No. 398 of 2020

IN THE MATTER OF:

Skyville-Residents Welfare Association **...Appellant**

Versus

Golden Glow Estates Pvt. Ltd. & Ors. **...Respondents**

Company Appeal (AT) (Insolvency) No. 399 of 2020

IN THE MATTER OF:

Skyville-Residents Welfare Association **...Appellant**

Versus

Digamber Buildcon Pvt. Ltd. & Ors. **...Respondents**

Present:

For Appellant : **Mr. Alok Kr. Aggarwal, Mr. Pavni Poddar, Ms. Anushruti and Mr. Supreet Bimbra, Advocates**

For Respondents : **Mr. Pranav Vyas, Mr. Shashank Agarwal, Ms. Aayushi Singh and Ms. Satendra K. Rai, Advocates for 'ILFS'**
Mr. Swapnil Gupta, Advocate for R-3
Mr. Guarav Mitra, Advocate for 'Home Buyers'

ORDER

12.03.2020 Learned counsel for the Appellant submits that with regard to all the 'Corporate Debtors' of the respective appeals the project is one. Therefore, the 'group corporate insolvency resolution process' should be initiated in the light of the decision of this Appellate Tribunal in '**Edelweiss Asset Reconstruction Company Limited vs. Sachet Infrastructure Pvt. Ltd.**' – *Company Appeal (AT) (Insolvency) No. 377 of 2019 etc.* disposed of on 20th September, 2019. It is further submitted that without the 'group corporate insolvency resolution process', the project cannot be completed.

Let Notice be issued on the Respondents in all the three appeals.

Mr. Swapnil Gupta, Advocate accepts notice on behalf of 'Golden Glow Estates Pvt. Ltd. (Respondent No. 3). Mr. Pranav Vyas, Advocate accepts notice on behalf of 'Infrastructure Leasing and Financial Services Ltd.' (Respondent No. 5). Mr. Gaurav Mitra, Advocate appears on behalf of some of the 'Home Buyers' who submitted that they also want the consolidation of these three matters and for that he has already moved before the Adjudicating Authority (National Company Law Tribunal), Principal Bench, New Delhi for their impleadment.

In the circumstances, while we are not expressing any opinion with regard to the 'Home Buyers' but for the present we allow them to intervene in the present appeal.

Respondents are allowed to file reply-affidavit within 10 days. Rejoinder, if any, be filed by the Appellant within 10 days thereof.

Let notice be issued on rest of the Respondents by Speed Post. Requisites along with process fee be filed by 13th March, 2020. If the Appellant provides the *e-mail* address of the rest of the respondents, let notice be also issued through *e-mail*.

Post all the Appeals 'for orders' on 29th April, 2020.

Pendency of the appeal will not come in the way of the Adjudicating Authority (National Company Law Tribunal), New Delhi who may pass consolidated proceedings with regard to the project in question.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

[Shreesha Merla]
Member (Technical)

/ns/gc/