

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

**Company Appeal (AT) (Insolvency) No. 446 of 2020**

**IN THE MATTER OF:**

**Moser Baer Karamchari Union**

**...Appellant**

**Versus**

**Moser Baer Solar Ltd.**

**...Respondent**

**Present:**

**For Appellant : Ms. Shriya Maini, Advocate**

**For Respondent : Mr. Kamal Mehta, Advocate for Liquidator**

**O R D E R**

**18.03.2020** Confronted with the query that if the company is not generating income, which option other than lay out would be available to it, learned counsel for the Appellant Ms. Shreya Maini, Advocate submits that the order of lay off is not in accordance with law. This is disputed by Mr. Kamal Mehta, learned counsel for the Respondent (Liquidator), who submits that the layoff order has been passed prior to the liquidation order.

Since Mr. Kamal Mehta, Advocate has put in appearance on behalf of the 'Liquidator', there is no need to issue further notice. He may file reply-affidavit within 2 weeks. Rejoinder, if any, may be filed by the Appellant within a week thereof.

Post the matter for Admission (After Notice)' on **30<sup>th</sup> April, 2020**.

[ Justice Bansi Lal Bhat ]  
Acting Chairperson

[ Justice Anant Bijay Singh ]  
Member (Judicial)

[ Shreesha Merla ]  
Member (Technical)

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