

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 30 of 2021

In the matter of:

Acme Chem Ltd. & Anr.

....Appellants

Vs.

Grove Ltd. & Ors.

....Respondents

Present:

Appellants: Mr. NPS Chawla, Mr. Surekh Kant Baxy, Mr. Ankit Tripathi, Advocates.

Respondents: Mr. S. Santanam Swaminadhan, Advocate for R1 & 4.

ORDER

(Through Virtual Mode)

21.01.2021: The issue raised in this appeal filed against order passed by the Adjudicating Authority (National Company Law Tribunal), Kochi Bench, Kerala in MA No.115/KOB/2020 under Rule 11 of the NCLT Rules, 2016 is that the Appellant- Successful Resolution Applicant could not be saddled with the additional liability beyond lease rent considered as Corporate Insolvency Resolution Process costs in terms of the order passed by this Appellate Tribunal in appeal.

Issue notice upon Respondents. Notice on behalf of Respondent Nos. 1 and 4 is waived and accepted by Mr. S. Santanam Swaminadhan, Advocate. No further notice need be issued to him. Reply affidavit may be filed by the Respondent Nos.1 and 4 within 2 weeks. Rejoinder, if any, be filed within 2 weeks thereof.

Contd/-....

Let notice be issued upon Respondent Nos. 2 and 3. Appellant to provide mobile Nos./ e-mail address of the Respondent Nos. 2 and 3. Notice be issued through e-mail or any other available mode. Requisites along with process fee be filed within two days.

List the appeal 'for admission (after notice)' on 17th February, 2021.

As an ad-interim, no coercive action shall be taken in terms of the impugned order till next date of hearing.

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

**[Kanthi Narahari]
Member (Technical)**

**[Dr. Alok Srivastava]
Member (Technical)**

AR/g