

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

**Company Appeal (AT) (Insolvency) No. 60 of 2020**

**IN THE MATTER OF:**

**Hemant Zaveri**

**...Appellant**

**Vs.**

**Bhavi Jewellers & Ors.**

**...Respondents**

**Present: For Appellant: - Mr. Pulkit Deora, Mr. Udit Gupta and Ms. Raju Sitaraman, Advocates.**

**O R D E R**

**16.01.2020—** Learned counsel for the Appellant submits that the details of invoices were not mentioned in Form-5. Even if goods such as Gold Jewellery etc. were supplied in the year 2015, the claim with regard to the same is barred by limitation.

It is further submitted that the aforesaid fact has not been noticed by the Adjudicating Authority (National Company Law Tribunal) while passing the order.

Let notice be issued on Respondents by speed post. Requisite along with process fee, if not filed, be filed by 17<sup>th</sup> January, 2020. If the Appellant provides the e-mail address of Respondents, let notice be also issued through e-mail.

Contd/-.....

Post the case 'for admission (after notice)' on 11<sup>th</sup> February, 2020.

In the meantime, the 'Interim Resolution Professional' will ensure that the company remains going concern and will take assistance of the (suspended) Board of Directors and the officers/ Directors/employees. The person who are working will perform their duties including the paid Directors. The person who is authorised to sign the bank cheques may sign cheques only after authorisation of the 'Interim Resolution Professional' with counter signature of the 'Interim Resolution Professional' at the back side of the cheques. In such case, the Bank shall release the payment. The 'Interim Resolution Professional' will place this order before the Banks, in which accounts of 'Corporate Debtor' are maintained. The Bank Account(s) of the 'Corporate Debtor' be allowed to be operated for day-to-day functioning of the company such as for payment of Current Bills of the Suppliers, Salaries and Wages of the employees'/ workmen, electricity bills etc.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Justice Bansi Lal Bhat)  
Member(Judicial)

Ar/RR