

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 933 of 2019

IN THE MATTER OF:

Acaricide India Pvt. Ltd.

...Appellant

Versus

M/s. VIP Industries

...Respondent

Present:

For Appellant :

**Mr. V. Seshagiri and Mr. Adhish Rajvanshi,
Advocates**

ORDER

11.09.2019 This appeal has been preferred by the Appellant against order dated 9th July, 2019 passed by the Adjudicating Authority (National Company Law Tribunal), Hyderabad Bench, Hyderabad. By the impugned order, the Adjudicating Authority admitted the application under Section 9 of 'the Insolvency and Bankruptcy Code, 2016' (for short, 'the I&B Code') preferred by 'M/s. VIP Industries' (Operational Creditor) against 'Acaricide India Private Limited' (Corporate Debtor).

The appeal is not maintainable on behalf of the 'Corporate Debtor'. In the circumstances, learned counsel for the Appellant prays for and is allowed to file a petition for substitution within a week by substituting one of the Director/Shareholder of the 'Corporate Debtor' as Appellant and transpose 'Acaricide India Private Limited' through 'Interim Resolution Professional' as 2nd Respondent. He also submits that he will obtain necessary instructions to settle the claim.

Post the case 'for orders' on **23rd September, 2019** along with petition for substitution, if any filed.

[Justice S.J. Mukhopadhaya]
Chairperson

[Kanthi Narahari]
Member (Technical)

/ns/sk

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