

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 945 of 2019

IN THE MATTER OF:

Umachi Foods and Commodities Pvt. Ltd. Appellant

Vs

Ganesh Rice and General industries. Respondent

Present:

For Appellant: Mr. Rajender Prasad Mishra and Mr. Deepak Jaiswal, Advocates.

For Respondent:

ORDER

12.09.2019 Heard learned counsel for the parties.

In view of the decision of the Hon'ble Supreme Court in "***Innoventive Industries Ltd. Vs. ICICI Bank and Ors. – (2018) 1 SCC 407***" the appeal filed by Corporate Debtor through its erstwhile management against order of admission of application under Section 9 of the Insolvency and Bankruptcy Code, 2016 is not maintainable.

Learned counsel for the appellant accordingly prays for and is allowed 10 days' time to file petition for substitution of one of the Director/ Shareholder as Appellant and to transpose M/s Umachi Foods and Commodities Pvt. Ltd. through Interim Resolution Professional as 2nd Respondent.

Post the case 'for Orders' on **25th September 2019**.

[Justice S. J. Mukhopadhaya]
Chairperson

[Kanthi Narahari]
Member (Technical)