

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

**Company Appeal (AT) (Insolvency) No. 766 of 2019**

**IN THE MATTER OF:**

**Vijay Kumar Choudhary & Anr. ...Appellants**

**Vs.**

**M/s. Educomp Infrastructure & School & Ors. ...Respondents**

**Present: For Appellants: - Mr. Krishnendu Datta, Advocate.**

**For Respondents: - Ms. Jatsala Rai and Mr. Raghav  
Chadha, Advocates for RP.  
Mr. Vikas Mehta and Mr. Mithun Shashank, Advocates  
for R-4.**

**O R D E R**

**03.09.2019—** Learned Senior Counsel appearing on behalf of the Appellants submits that whatever the records were available with the Appellants have been handed over to the 'Resolution Professional'. The 'Resolution Professional' has also taken charge of the assets and premises of the 'Corporate Debtor'. However, there is no such affidavit in support thereof. Accordingly, we direct the Appellant to file an Affidavit in support thereof within 7 days.

The 'Resolution Professional' will also file an Affidavit within 7 days thereafter as to whether the records have been handed over by the Appellants and the possession of the assets and premises of the 'Corporate Debtor' has been taken over from the Appellants. He will also state as to whether the Appellants are co-operating with him to keep the

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'Corporate Debtor' as a going concern or they are creating any hindrance.

Post the appeal 'for orders' on 24<sup>th</sup> September, 2019. The appeal may be disposed of at the stage of admission.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Justice A.I.S. Cheema)  
Member(Judicial)

(Kanthi Narahari)  
Member(Technical)

Ar/g