

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 577 of 2019

IN THE MATTER OF:

M/s. RRP Housing Pvt. Ltd. & Ors.

...Appellants

Versus

M/s. Sri Adinath Enterprises

...Respondent

Present:

For Appellant : **Mr. S. Nagarajan, Advocate**

For Respondent : **Mr. Vikram Hegde, Advocate for Resolution
Professional**

O R D E R

30.07.2019 As the appeal is not maintainable at the instance of the 'Corporate Debtor' – 'M/s. R.R.P. Housing Pvt. Ltd.' in view of the decision of the Hon'ble Supreme Court in "*Innoventive Industries Ltd. v. ICICI Bank (2018) 1 SCC 407*" (Para 11), learned counsel for the Appellant sought permission to delete Appellant No. 1 from the cause-title and allow other Appellants – 'Mr. N. Padmanabhan' and 'Mr. P. Thamizh' (Directors) to pursue the appeal. The oral prayer as made is allowed. Let necessary corrections be made in the cause-title and other relevant pages of the paper-book showing as filed by "Mr. N. Padmanabhan & Anr. vs. M/s. Sri Adinath Enterprises & Anr.".

Mr. Vikram Hegde, learned counsel appears on behalf of the 'Resolution Professional'. Learned counsel for the Appellant will serve a copy of the paper-book in the course of the day. He is allowed 2 weeks' time to file reply-affidavit. Rejoinder, if any, be filed by the Appellant within 2 weeks' thereof.

Post the case 'for orders' on **2nd September, 2019**.

In the meantime, if the Appellant and other officers of the 'Corporate Debtor' have not handed over the documents and other records, they should hand over the same immediately. The 'Chennai Metropolitan Development Authority' has locked the premises of the 'Corporate Debtor', they are directed to unlock the door and hand over the possession of the same to the 'Resolution Professional'. This information should be given by the 'Resolution Professional and the 'Corporate Debtor' to the Member Secretary, 'Chennai Metropolitan Development Authority', failing which this Appellate Tribunal may pass appropriate order.

Appearance of 'Mr. N. Padmanabhan' and 'Mr. P. Thamizh', Directors are dispensed with for the present.

[Justice S.J. Mukhopadhaya]
Chairperson

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

[Kanthi Narahari]
Member (Technical)

/ns/gc