

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 714 of 2020

IN THE MATTER OF:

**Fort Gloster Industries Ltd., (Cable Works)
Sramik Karmachari Union (INTUC)**

...Appellant

Versus

Gloster Ltd. & Ors.

...Respondents

Present:

**For Appellant : Mr. Jishnu Chowdhury and Mr. Kunal Chatterjee
Advocates**

**For Respondents : Mr. S. N. Mookherjee, Senior Advocate with
Mr. P.K. Jhunhunwala, Mr. Shaunak Mitra and
Mr. Anil Agarwalla, Advocates for R-1
Mr. Anuj Singh, Advocate for R-2
Mr. Dinkar Singh, Advocate for R-3**

**O R D E R
(Through Virtual Mode)**

26.08.2020 Mr. Jishnu Chowdhury, learned counsel for the Appellant submitted that subsequent to the approval of the 'resolution plan' by the Adjudicating Authority the 'Successful Resolution Applicant' (R-1) has contravened the terms of the plan. He further submitted that the Adjudicating Authority has no jurisdiction to extend time for implementation of the terms of the resolution plan.

Issue notice upon Respondent.

At this stage Mr. P.K. Jhunhunwala, learned counsel waived and accepted notice on behalf of Respondent No. 1. Mr. Anuj Singh, learned counsel waived and accepted notice on behalf of Respondent No. 2. Mr. Dinkar Singh, learned counsel waived and accepted notice on behalf of Respondent No. 3. No further notice need to be served upon Respondents. Service is complete.

Respondents may file their reply-affidavits within ten days. Rejoinder, if any, within ten days thereof.

List the appeal 'for Admission (After Notice)' on **22nd September, 2020** before the 1st Bench.

Registry is directed to list '*Company Appeal (AT) (Insolvency) Nos. 1234 of 2019, 1272 of 2019, 1338 of 2019 and 1343 of 2019*' on **22nd September, 2020** before the 1st Bench.

**[Justice Bansi Lal Bhat]
Acting Chairperson**

**[Justice Anant Bijay Singh]
Member (Judicial)**

**[V.P. Singh]
Member (Technical)**

/ns/gc/