

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 173 of 2020

In the matter of:

Aditya Sikdar & Anr.

....Appellants

Vs.

Allahabad Bank & Anr.

....Respondents

Present:

Appellants:

**Mr. Abhijeet Sinha and Kamesh Vedula, Advocates
with Ms. Suhita Mukhopadhyay, CS.**

Respondents:

ORDER

31.01.2020: Apart from other issues, learned counsel for the Appellant submits that the claim is barred by limitation.

Let notice be issued on Respondents by Speed Post. Requisites alongwith process fee, if not already file, be filed by tomorrow. If the Appellant provides email address of the Respondents, let notice be also issued through email.

In the meantime, the Interim Resolution Professional will ensure that the company remains going concern and will take assistance of the (suspended) Board of Directors. The persons who are working will perform their duties including the paid Directors. The person who is authorised to sign the bank cheques may sign cheques only after authorisation of the 'Interim Resolution Professional' with counter signature of the 'Interim Resolution Professional' at

the back side of the cheques. In such case, the Bank shall release the payment. The Interim Resolution Professional will place this order before the Banks, in which accounts of Corporate Debtor are maintained. The Bank Account(s) of the 'Corporate Debtor' be allowed to be operated for day-to-day functioning of the company such as for payment of Current Bills of the Suppliers, Salaries and Wages of the employees'/workmen, electricity bills etc.

Post the matter 'for admission (after notice)' on **3rd March, 2020.**

[Justice Bansilal Bhat]
Member (Judicial)

[Justice Venugopal M.]
Member (Judicial)

[V. P. Singh]
Member (Technical)

am/nn