

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**  
**Company Appeal (AT) (Insolvency) No. 1520 of 2019**

**IN THE MATTER OF:**

**Simran Kaur**

**...Appellant.**

**Versus**

**M/s. Haiko Logistics India Pvt. Ltd.**

**...Respondent.**

**Present:**

**For Appellant: Mr. Abhirup Das Gupta, Mr. Ishaan Duggal,  
Ms. Bhawana Sharma and Ms. Vriti Gujral,  
Advocates.**

**For Respondent: None.**

**ORDER**  
**(Virtual Mode)**

**11.01.2021** Learned Counsel for Appellant has filed Written-Submissions. Respondent has not filed Written-Submissions. None present for Respondent.

2. Learned Counsel for Appellant submits that Appellant has good case on merits. It is stated that the 'CIRP' is going on and the Resolution Professional has filed Application before Adjudicating Authority seeking orders of Liquidation. It is stated that if orders of Liquidation are passed, the Appeal would become redundant and there would be complications.

3. The Appellant has not made the Corporate Debtor-M/s. Datawind Innovations Pvt. Ltd. a Respondent and the Resolution Professional is not before us. Learned Counsel for the Appellant may amend the Memo of Appeal to add Corporate Debtor as Respondent No. 2 through the Resolution Professional.

4. As the Learned Counsel for the Appellant states that the Resolution Professional has moved the Adjudicating Authority for passing orders of

Liquidation, we permit the Learned Counsel for the Appellant to file copy of the resolution as may have been passed.

4. In the meanwhile, if the Resolution Professional has filed Application before the Adjudicating Authority seeking orders of Liquidation, we request the Adjudicating Authority not to pass orders of Liquidation till the next date of this Appeal.

5. The Appellant to amend the Appeal within three days and serve the Resolution Professional with the notice of this Appeal.

List the Appeal 'For Admission (After Notice)' Hearing on **29<sup>th</sup> January, 2021.**

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

**[Dr. Alok Srivastava]  
Member (Technical)**

Basant B./md.