

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 854 of 2020

IN THE MATTER OF:

iLabs Hyderabad Technology Centre Pvt. Ltd.

...Appellant

Versus

**Resolution Professional, Abir Infrastructure Pvt.
Ltd.**

...Respondent

Present:

For Appellant: Mr. Abhijeet Sinha, Mr. Aditya Shukla, Mr. Mithun Shashank and Ms. Eshna Kumar, Advocates.

For Respondent: Mr. Ramesh Babu Palutla, Mr. Kumar Anurag Singh, Mr. Zain Khan and Mr. Anando Mukherjee, Advocates with Ms. Rakhi Ray, RP.

ORDER
(Through Virtual Mode)

28.09.2020: Aggrieved of the impugned order dated 15th September, 2020 rendered by the Adjudicating Authority (National Company Law Tribunal), New Delhi (Bench IV) in I.A. No. 3341/(ND)/2020 in CP(IB) 893/(ND)/2018 dismissing the application of the Appellant for not having filed its response to the Expression of Interest (EoI) within the stipulated time and the Adjudicating Authority noticing that the Committee of Creditors has decided to reject the proposal of Appellant, it is submitted that the deadline for submission of the Resolution Plan had not expired and the decision of this Appellate Tribunal in "*Kotak Investment Advisors Limited Vs. Mr. Krishna Chamdia & Ors.*", *Company Appeal (AT) 344-345/2020* has been wrongly relied upon.

Issue notice upon Respondent.

At this stage, notice on behalf of Respondent is waived and accepted by Shri Kumar Anurag Singh, Advocate alongwith Mr. Ramesh Babu, Advocate. No further notice be issued upon Respondent. Learned counsel for the Respondent may file reply affidavit alongwith his vakalatnama within one week. Rejoinder thereto, if any, may be filed by the Appellant within one week thereof.

Written submissions not exceeding three pages, may also be filed by the parties alongwith their pleadings.

List the appeal 'for admission (after notice)' on **16th October, 2020**.

Meanwhile, the Appellant shall be at liberty to approach the Resolution Professional for some information and the Resolution Professional may share such information which is permissible under the Regulations.

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

**[Justice Jarat Kumar Jain]
Member (Judicial)**