

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 237 of 2020

IN THE MATTER OF:

Tata Consultancy Services Ltd.

...Appellant

Versus

**Vishal Ghisulal Jain
Resolution Professional**

...Respondent

Present:

For Appellant : Ms. Suman Yadav and Mr. Aditya Sarin, Advocates

For 1st Respondent: Ms. Soumya Saikumar, Advocate

O R D E R

07.02.2020 Learned counsel for the Appellant submits that the Appeal is not barred by limitation as the certified copy of the impugned order was issued on the Appellant only on 9th January, 2020 and the Appeal having preferred on 24th January, 2020, we accept the submission.

However, 2 days delay in re-filing the Appeal is condoned.

Mr. Soumya Saikumar, Advocate accepts notices on behalf of the 'Resolution Professional'. No further notice is required to be issued. He is allowed to file reply-affidavit along with Vakalatnama within 10 days. Rejoinder, if any, may be filed by the Appellant within a week thereof.

Post the case 'for order' on **26th February, 2020**. The appeal may be disposed of on the next date.

The 'Resolution Professional' will provide the same facility to the Appellant – 'Tata Consultancy Services Ltd.' in terms of the Agreement to keep the 'Corporate Debtor' as a going concern.

In the meantime, it will be open to the 'Resolution Professional' to proceed with the 'corporate insolvency resolution process' in accordance with law and any action shall be subject to the decision of this Appeal.

The illegality of termination of the contract will be decided at the stage of final disposal.

[Justice S.J. Mukhopadhaya]
Chairperson

[Shreesha Merla]
Member (Technical)

/ns/RR/