

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 47 of 2019

IN THE MATTER OF:

M/s. Kotak Mahindra Prime Ltd. ...Appellant

Vs.

Mr. Bijay Murmuria & Ors. ...Respondents

Company Appeal (AT) (Insolvency) No. 48 of 2019

IN THE MATTER OF:

M/s. Kotak Mahindra Investment Ltd. ...Appellant

Vs.

Mr. Bijay Murmuria & Ors. ...Respondents

Company Appeal (AT) (Insolvency) No. 49 of 2019

IN THE MATTER OF:

M/s. Kotak Mahindra Prime Ltd. ...Appellant

Vs.

Mr. Bijay Murmuria & Ors. ...Respondents

Company Appeal (AT) (Insolvency) No. 50 of 2019

IN THE MATTER OF:

M/s. Kotak Mahindra Investment Ltd. ...Appellant

Vs.

Mr. Bijay Murmuria & Ors. ...Respondents

Contd/-.....

Present: For Appellant: - Mr. P. Nagesh, Mr. Mahip Datta and Mr. Dhruv Gupta, Advocates.

**For Respondents: - Mr. K. Dutta, Ms. Srishti Kapoor and Mr. Ashish Kapoor, Advocates for R-1.
Mr. Abhijeet Sinha and Ms. Niharika Sharma, Advocates for R-3.**

O R D E R

17.09.2019— Learned counsel for the Appellants submits that the Appellants have no objection to the offer given, but they have to first look into the plan. However, we are not inclined to re-open the issue by asking the Respondents to provide the plan to the Appellants at this stage when they have not claimed the plan before the Adjudicating Authority (National Company Law Tribunal).

2. In our last order dated 3rd September, 2019, we made following observations:

“03.09.2019— *The Respondent- (‘Successful Resolution Applicant’) has given certain revised offer to the Appellants which, prima facie, appears to be justified. The Appellants are given opportunity to accept the same, failing which the appeal may be determined on merit.*

Post these appeals 'for orders' on 17th September, 2019."

3. If the Appellants agree to the revised offer given by the 'Successful Resolution Applicant' to the Appellants, they may express their opinion by filing an affidavit by tomorrow i.e. on 18th September, 2019, failing which all the appeals will be disposed of on merit.

Post these appeals on 19th September, 2019.

(Justice S.J. Mukhopadhaya)
Chairperson

(Justice A.I.S. Cheema)
Member(Judicial)

(Kanthi Narahari)
Member(Technical)

Ar/g