

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Company Appeal (AT) (Insolvency) No. 634 of 2020**

**IN THE MATTER OF:**

**RNY Healthcare Services Pvt. Ltd.**

**...Appellant**

**Versus**

**Bourn Hall International India Pvt. Ltd.**

**...Respondent**

**Present:**

**For Appellant: Mr. Rakesh Kumar, Mr. Parmanand Yadav and Ms. Priya Kashyap, Advocates.**

**For Respondent:**

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

**29.07.2020:** The issue raised in this appeal is that the Corporate Insolvency Resolution Process against the Corporate Debtor has been initiated at the instance of the Corporate Debtor fraudulently and overlooking the fact that no valid EGM was convened and no legitimate decision was taken for seeking self-insolvency resolution by the Corporate Debtor under Section 10 of the I&B Code. It is therefore contended that the impugned order admitting the application under Section 10 is unsustainable.

Issue notice upon Respondent. Appellant to provide mobile Nos./e-mail address of the Respondent. Notice be issued through e-mail or any other available mode. Requisites along with process fee be filed within three days.

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List the appeal 'for admission (after notice)' on **7<sup>th</sup> September, 2020**.

Corporate Insolvency Resolution Process of the Corporate Debtor shall be subject to outcome of this appeal.

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

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

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

*am/gc*