

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
Company Appeal (AT) (Insolvency) No. 66 of 2021**

**In the matter of:**

**Mutyala Babu Katta & Ors.**

**....Appellants**

**Vs.**

**VBC Industries Ltd & Ors.**

**....Respondents**

**Present:**

**Appellants: Mr. Gaurav Mitra, Mr. Kunal Godhwani, Advocates.**

**Respondents: Mr. Ankur Khandelwal, Mr. Himanshu Handa,  
Advocates for R1 (RP).**

**ORDER**

**(Through Virtual Mode)**

**03.02.2021:** One of the issues raised in this appeal against approval of Resolution Plan qua the Corporate Debtor is that the approved Resolution Plan is discriminatory as regards Operational Creditors and workmen as also the Creditors falling within the same set of 'Unsecured Financial Creditor'.

2. Mr. Gaurav Mitra, learned counsel for the Appellant submits that Company Appeal (AT) (Insolvency) (TR) No.41 of 2021 is pending consideration in respect of the same impugned order which has been transferred to Chennai Bench after it started functioning w.e.f. 25<sup>th</sup> January, 2021.

3. Issue Notice. Notice on behalf of Respondent No.1 is waived and accepted by Mr. Ankur Khandelwal, Advocate. No further notice need be issued to him.

Contd/-.....

4. Let notice be issued upon Respondent Nos. 2 & 3. Appellant to provide mobile Nos./ e-mail address of the Respondent Nos.2 & 3. Notice be issued through e-mail or any other available mode. Requisites along with process fee be filed within three days.

5. Since Chennai Bench having territorial jurisdiction in respect of the appeal stands constituted and has started functioning w.e.f. 25<sup>th</sup> January, 2021, having regard to jurisdictional aspect, we direct transfer of this appeal to Chennai Bench where it shall be taken up along with Company Appeal (AT) (Insolvency) (TR) No.41 of 2021 on 22<sup>nd</sup> February, 2021.

6. Meanwhile, as an ad-interim, it is directed that while the implementation of the approved Resolution Plan shall continue, the same shall be subject to the outcome of this appeal.

Registry is directed to transmit the record of the case to Chennai Bench.

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

**[Dr. Ashok Kumar Mishra]**  
**Member (Technical)**

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

**AR/g**