

National Company Law Appellate Tribunal, New Delhi

Principal Bench

Company Appeal (AT) (Ins) No. 307 of 2020

IN THE MATTER OF:

Committee of Creditors of EMCO Ltd.

...Appellant

Vs.

Mary Mody & Ors.

...Respondents

Present:

For Appellant: Mr. Sanjeev Kumar and Mr. Anshul Sehgal, Advocates.

**For Respondents: Mr. Zain Khan, Mr. Shwetank and Ms. Salohi Kothari(RP), Advocates for R-1.
Mr. Ayush J Rajani, PCA (RP), Advocate for R-2.
Mr. Sundaresh Bhat, Advocate.**

ORDER

(Through Virtual Mode)

03.02.2021: Heard the Learned Counsel for the Appellant.

Learned Counsel for the Respondent Nos. 1 & 2 are present.

During the course of the argument query was made by this Tribunal to the Learned Counsel for the Appellant after going through the impugned order passed by Learned NCLT Mumbai Bench dated 15.01.2020, (31) MA 4002/2019 in C.P. (IB)- 2849(MB)/2018, whereby the Learned NCLT had issued the certain directions to the CoC and further adjourned the matter for 12.03.2020.

The Learned Counsel for the Appellant replying to the query refer to page 196 of 'Appeal Paper Book' Volume -I submitted that the meeting of CoC was convened on 30.01.2020.

The Members of the CoC deliberated at length, the direction of NCLT Mumbai Bench had taken decision to prefer the Appeal before this Tribunal. Thereafter, the instant Appeal was filed before this Tribunal on 13.02.2020.

Heard the Learned Counsel for the Respondent Nos. 1& 2.

For Reply on behalf of the Learned Counsel for the Appellant, list this Appeal on **16th February, 2021**.

[Justice Anant Bijay Singh]
Member (Judicial)

[Ms. Shreesha Merla]
Member (Technical)

sr/nn