

NATIONAL COMPANY LAW APPELLATE TRIBUNAL

NEW DELHI

COMPANY APPEAL (AT)(INSOLVENCY) NO.391/2020

In the matter of:

Vijay Kumar Singh

Appellant

Vs

Anil Kumar & Ors

Respondent

Mr. Gautam Singhal, Advocate for appellant.

Mr. Rajendra Beniwal, Advocate for R1.

Mr. Piyush Beriwal and Mr. Ankit Raj, Advocates for R2.

Mr. Anil Kumar, R1.

Mr. Gurmeet Bindra, Advocate for R6.

Mr Kumar Sumit, Advocate for R1.

Ms Sampurna, Advocate.

Mr. Chander Harsh, Advocate.

ORDER

29.07.2020- Learned counsel Mr. Gautam Singhal appears for the Appellant. In respect of 1st Respondent, Mr. Rajendra Beniwal appears. On behalf of 1st Respondent the Reply was filed.

Mr. Piyush Beriwal and Mr. Ankit Raj, Advocates appears for 2nd Respondent and inform this Tribunal that Oriental Bank of Commerce got merged with 'Punjab National Bank'. As such the 2nd Respondent, Oriental Bank of Commerce, is to be replaced/substituted by the name of Punjab National Bank as 2nd Respondent. In this regard, the Learned Counsel for the Appellant is directed to file necessary interlocutory application by taking necessary steps. Accordingly, till 13.8.2020 time is granted to the Learned Counsel for the Appellant for filing necessary interlocutory application and to bring the same before this Tribunal.

Mr. Chander Harsh, Bank Officer seeks time to file Reply for 3rd Respondent. Accordingly 3rd Respondent is directed to file its Reply by 13.8.2020, after serving copies to the other side.

None appears for 4th Respondent. It appears that consignment details was not found in the website of Postal Department. As such the Appellant is directed to take necessary steps for serving 4th Respondent by 13.8.2020.

For 5th Respondent, none appears as the 'consignment details' was not found in the website of Postal Department for 5th Respondent. As such the Appellant is directed to take steps to serve the 5th Respondent by the next date of hearing

Ms Gurmeet Bindra, appears for HDFC and informs that the Bank has not been supplied with the Appeal Paper Book etc. Learned Counsel for the Appellant is directed to serve the Appeal Paper Book to the HDFC Bank by the next date of hearing. Also that HDFC Bank is directed to file reply by the next date of hearing after serving copies to the other side.

Moreover, on 5.3.2020 it was recorded in the Minutes of proceedings by Tribunal that notice was not necessary to be served on 7th Respondent (Original Operational Creditor).

The office of the Registry is directed to list the matter on **20th August, 2020.**

**(Justice Venugopal M.)
Member (Judicial)**

**(Mr. Balvinder Singh)
Member (Technical)**

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

Bm/nn