

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 728 of 2019

IN THE MATTER OF:

Pacific World Shipping PTE Ltd.

...Appellant

Versus

Dadi Impex Pvt. Ltd.

...Respondent

Present:

For Appellant :

Mr. Rudreshwar Singh, Mr. Vivek Raja, Mr. Ankur Kashyap, Mr. Hussain Dholkawal, Advocates

For Respondent :

Ms. Ekta Bhasin, Advocate for 'Resolution Applicant' (Promoter)

O R D E R

18.07.2019 Learned counsel for the Appellant (Operational Creditor) submits that similar situated 'Operational Creditors' is provided to their claim but less percentage of amount has been allowed in favour of the Appellant.

Ms. Ekta Bhasin, Advocate submits that she intends to appear on behalf of the 'resolution applicant' but the Appellant has not impleaded it as party respondent. In the facts and circumstance, learned counsel for the Appellant prays for and allowed to make necessary correction in the cause title as "Dadi Impex Pvt. Ltd." through Promoters – Anand Prakash Choudhari and Mrs. Manju Choudhari (Promoters) having shown address therein. Learned counsel for the Appellant is also directed to implead "Branch Manager, State Bank of India, 1st Floor, Lekhraj Bhavan, Sakivihar Road, Andheri East, Mumbai – 400 072 (lead Bank of the Committee of Creditors) as party Respondent No. 2. Learned counsel for the Appellant will make necessary corrections in the cause

title of the appeal and other pages of the paper-books by tomorrow i.e. 19th July, 2019.

Let notice be issued on Respondents both in the matter of condonation of delay and the Appeal by Speed Post. Ms. Ekta Bhasin, Advocate has already appeared on behalf of 'Dadi Impex Pvt. Ltd.' (Promoter). Learned counsel for the Appellant will serve a copy of the paper-book on her in the course of the day. She is allowed to file reply-affidavit along with Vakalatnama within 2 weeks. Rejoinder, if any, be filed by the Appellant within 2 weeks thereof.

In the meantime, let notice be issued on the newly impleaded 2nd Respondent. Requisites along with process fee, if not filed, be filed by 22nd July, 2019.

Post the case 'for Admission (After Notice)' on **28th August, 2019.**

[Justice S.J. Mukhopadhaya]
Chairperson

[Kanthi Narahari]
Member (Technical)

/ns/gc