

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**  
**Company Appeal (AT) (Insolvency) No. 109 of 2021**

**In the matter of:**

<b>Sushil Kaundinya</b>	<b>....Appellant</b>
<b>Vs.</b>	
<b>Construmart Online Pvt. Ltd.</b>	<b>....Respondent</b>

**Present:**

<b>Appellant:</b>	<b>Mr. Krishnendu Dutta and Mr. Ankur Singhal, Advocates</b>
<b>Respondent:</b>	<b>Mr. Abhijeet Sinha, Mr. Gaurav Singh and Ms. Vediccaa Ramdane, Advocates for R-1. Mr.Vishal Ganda and Mr.Anand Singh Sengar, Advocates for RP Mr.Rahul Jain, Advocate for IRP</b>

**O R D E R**  
**(Through Virtual Mode)**

**03.03.2021:** It being brought to our notice by Mr. Abhijeet Sinha that the Corporate Debtor has not been made a party-Respondent in the instant Appeal, Shri Krishnendu Dutta, Advocate representing the Appellant will amend the Memo of Parties by incorporating the Corporate Debtor through Interim Resolution Professional as party-Respondent No.2. This may be done within two weeks.

Mr. Vishal Ganda, Advocate submits that he is appearing on behalf of IRP representing the Corporate Debtor. He may file Status Report along with his Vakalatnama within two weeks. Learned Counsel for the Appellant may provide complete set of Appeal paper-book to Mr. Vishal Ganda, learned Counsel during the course of the day.

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Learned Counsel for Respondent No.1 submits that he has filed the reply. The same is taken on record. It is further submitted that no settlement has been reached with the Operational Creditor. Learned Counsel for the Appellant shall be at liberty to file rejoinder to the reply affidavit of Respondent No.1 within two weeks' time. Written submissions not more than three pages together with compilation of relevant judgments be also be filed within two weeks.

Post the matter 'for admission (after notice)' on **26<sup>th</sup> March, 2021** before Court No.3.

Interim directions to continue.

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

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

*Ash/GC*

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