

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Comp. Appeal (AT) (Ins) No.417 of 2020**

**IN THE MATTER OF:**

**Next Orbit Ventures Fund**

**...Appellant**

**Versus**

**Print House India Pvt. Ltd. & Ors.**

**...Respondents**

**Present:**

**For Appellant: Mr. Rajiv Ranjan, Senior Advocate, Mr. Kumar Anurag Singh and Mr. Zain A. Khan, Advocates.**

**For Respondent: Mr. Dinkar Singh, Advocate for RP.**

**O R D E R**

**13.03.2020** Learned counsel for the Appellant submits that the Appellant has filed an Application M.A No.3724 of 2019 as a Resolution Applicant. At the time of argument counsel for the Appellant brought to the notice of the Adjudicating Authority that Resolution Plan is pending for approval before the another Adjudicating Authority. Therefore, this Application should have been considered by the same Adjudicating Authority before whom the Resolution Plan is pending for approval. However, the Adjudicating Authority has decided the Application by the impugned order.

Learned counsel for the Respondents have serious objection and submitted that at the time of argument this fact was never brought to the notice of the Adjudicating Authority. Therefore, this ground cannot be raised at appellate stage.

At this juncture, the learned counsel for the Appellant prays time to file affidavit in support of his contention.

He is permitted to file affidavit on or before 18<sup>th</sup> March, 2020 after serving a copy to the Respondents.

Let the matter be fixed on **23<sup>rd</sup> March, 2020**.

**[Justice Mr. Jarat Kumar Jain]**  
**Member (Judicial)**

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

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

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