

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency)No. 903 of 2019

IN THE MATTER OF:

Amit Gupta

.....Appellant

Vs.

Yogesh Gupta

.....Respondent

Present :

For Appellant:

**Mr. Abhijit Sinha, Ms. Bonita Singh, Ms. N.Chandra,
Ms. Samarjit Pattnaik, Ms. Aprajita, Mr. Saikat
Sarkar, Mr. Rohan Mazumdar, Mr. Kamesh,
Advocates**

O R D E R

03.09.2019 - Learned counsel for the Appellant submits that the provision of Section 29A is not applicable for MSME and the Adjudicating Authority has failed to appreciate the same.

Let notice be issued on the Respondents by speed post. Requisite along with process fee, if not filed, be filed by 4th September, 2019. If the appellant provides the e-mail address of the respondent, let notice be also issued through e-mail.

Post the case for 'orders' on **30th September, 2019.**

The appeal may be disposed of on the next date.

....contd.

2

During the pendency of the appeal, this order will not come in the way of Appellant submitting a 'Resolution Plan' and uninfluenced by the order passed by the Adjudicating Authority and in accordance with sub-section (4) of Section 30 'Committee of Creditors' may consider the same, which shall be subject to the decision of this appeal.

[Justice S. J. Mukhopadhaya]
Chairperson

[Justice A. I. S. Cheema]
Member (Judicial)

[Kanthi Narahari]
Member (Technical)

ss/gc

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