

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

Company Appeal (AT) (Insolvency) No.1149 of 2023

IN THE MATTER OF:

Sandeep Anand

...Appellant

Versus

Gopal Lal Baser

Respondent

Present:

**For Appellant: Mr. Rajat Bhardwaj, Mr. Kanishk Raj, Ms. Ankita
 B. Bhardwaj and Mr. Kaustubh Khanna,
 Advocates.**

For Respondent:

ORDER

15.09.2023: Learned counsel for the Appellant submits that the Resolution Professional has been suspended by order of the IBBI dated 26.05.2023 for a period of two years and after suspension he filed I.A. No. 3652/2023 seeking direction by the Adjudicating Authority as to whether he has to continue in the CIRP or not, on which application, the Adjudicating Authority on 17.07.2023 directed the Resolution Professional to approach the CoC. It is submitted that he could not have been allowed to continue or file application before the Adjudicating Authority. We find substance in the submissions of learned counsel for the Appellant.

Issue notice to the Respondent. Requisites alongwith process fee be filed within three days.

Reply be filed within two weeks. Rejoinder within two weeks thereafter.

Cont'd.../

In the meantime, order dated 17.07.2023 shall remain stayed.

List this Appeal on **30.10.2023**.

[Justice Ashok Bhushan]
Chairperson

[Barun Mitra]
Member (Technical)

Archana/nn