

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
AT CHENNAI

(APPELLATE JURISDICTION)

Company Appeal (AT) (CH) (Ins) No.131/2024
(IA No.355/2024)

In the matter of:

**Gulam Mustafa, Suspended Director of Gulam
Mustafa Enterprises Pvt. Ltd.**
V

... Appellant

**Balakrishna Venkatachalam, IRP of Allam Infinite
India Pvt. Ltd.**

...Respondent

Present :

For Appellant : Mr. E. Om Prakash, Senior Advocate
For Ms. R. Moneshaa, Advocate

For Respondent : Mr. Adith Narayan Vijayaraghavan, Advocate, For R2

ORDER

(Hybrid Mode)

22.04.2024:

The Appellant herein has put a challenge to the Impugned Order dated 29.02.2024, as it had been passed by the Learned ‘Adjudicating Authority’ / ‘National Company Law Tribunal’, Bengaluru Bench, instead of filing the Company Petition, initially the appellant had filed the Writ Petition, before the Karnataka High Court being W.P. No.7139 of 2024 M/s. Gulam Mustafa Enterprises Pvt. Ltd. & 8 Ors. The Karnataka High Court has granted an Interim Order, but however later on Writ Petition was disposed of by an Order dated 18.04.2024. It had come in the order, that during the proceedings before the High Court, that the Parties were venturing for settlement, but certain negotiations were

yet required to be undertaken to finalise the Settlement. To these contentions raised by the Learned Counsel for the Appellant, the Learned Counsel for Respondent No.2 does not refute the same.

Let Notice be issued to Respondent No.1, the Appellant would serve the Respondent No.1 by Registered Post, as well as on the Email ID of the Respondent No.1 and as well as on WhatsApp Number of the Respondent No.1. Owing to the fact, the Parties are under the process of Settlement, the Interim Order as it was earlier granted by the High Court would remain effective till 04.06.2024. The CIRP Proceedings would be kept in abeyance till then, put upon 04.06.2024, for enabling conclusion of the settlement process, the same would be placed on record by the next date.

The 'Office of the Registry', is directed to 'List' the matter on **04.06.2024**, under the caption, '**For Admission (After Notice)**'.

[Justice Sharad Kumar Sharma]
Member (Judicial)

[Jatindranath Swain]
Member (Technical)

VG/TM