NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) (Insolvency) No. 913 of 2023

IN THE MATTER OF:

Vadilal Industries Ltd.   …Appellant

Versus

Sharda Constructions and Corporation Pvt. Ltd. &   …Respondents
Ors.

Present:
  For Appellant: Mr. Sandeep Grover, Ms. Aashna Agarwal, Advocates

  For Respondent: Mr. Gaurav Mitra and Lavanya Pathak, Advocate for R-1 and R-2
  Mr. Rajat Sinha, Advocate for R-4

With
Company Appeal (AT) (Insolvency) No. 748 of 2023

IN THE MATTER OF:

Vadilal Industries Ltd.   …Appellant

Versus

Fanendra Munot   …Respondent

Present:
  For Appellant: Mr. Sandeep Grover, Ms. Aashna Agarwal, Advocates

  For Respondent: Mr. Gaurav Mitra and Lavanya Pathak, Advocate for R-1
  Mr. Rajat Sinha, Ms. Madhur Jhavar, Advocates

O R D E R

19.07.2023:

C.A. (AT) Ins. No. 748 of 2023: Learned Counsel for the Appellant submits that the claim filed by the Appellant was rejected as barred by time whereas it was well within time which was allowed by Hon'ble Supreme Court in Suo Motu Writ Petition No. 03 of 2020.

2.   He has filed Amended Memo of Parties. Issue notice to the Respondents through Speed Post as well as Email. Requisites along with process fee, if not filed, be filed within two days.

3.   Mr. Gaurav Mitra, Learned Counsel appearing for the Successful Resolution Applicant as Respondent accepts notice. Learned Counsel appearing for IRP also accepts notice.

4.   Let Reply Affidavits be filed within three weeks. Rejoinder may be filed within two weeks, thereafter.

List this Appeal on **04th September, 2023.**

<u>C.A. (AT) Ins. No. 913 of 2023</u>: Learned Counsel for the Appellant prays that he may be permitted to withdraw this Appeal to enable him to file appropriate application in C.A. (AT) Ins. No. 748 of 2023 where order dated 31st March, 2023 approving the Resolution Plan also is under challenge.

The Appeal i.e. C.A. (AT) Ins. No. 913 of 2023 is dismissed as withdrawn.

[Justice Ashok Bhushan]
Chairperson

[Mr. Barun Mitra]
Member (Technical)

Basant/nn
Company Appeal (AT) (Insolvency) No. 913, 748/2023