

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

**Company Appeal (AT) (Insolvency) No. 1047 of 2024
& I.A. No. 3804, 3810 of 2024**

In the matter of:

Gokul Aggarwal

....Appellant

Vs.

Bank of India & Ors

...Respondents

For Appellant

Mr. Arvind Nayar, Sr. Advocate with Mr. Vipul Jain, Mr. Aniruth Purushothaman, Mr. Akshay Joshi, Ms. Vanshika Rana, Mr. Sandeep Bajaj, Advocates.

For Respondents

ORDER

(Hybrid Mode)

28.05.2024: I.A. No. 3810 of 2024 :- This is an application praying for Condonation of 12 days' delay in filing the appeal. The ground taken in the application is that the Appellant is living in Mumbai and due to his health ailments, he was unable to seek timely legal advice for filling the appeal. Cause shown sufficient. Delay is condoned.

I.A. No. 3804 of 2024 :- This is an application praying for condonation of 34 days delay in re-filing the appeal. The ground taken in the Affidavit is that the defects were pointed out on 10.04.2024 and the authorised signatory of the Appellant resides out of Delhi, hence, the time was taken for clearing the defects. Cause shown sufficient. Re-filing delay is condoned.

Company Appeal (AT) (Insolvency) No. 1047 of 2024 :-

Learned Counsel for the Appellant submits that two Financial Creditors have already expressed their opinion to accept the Settlement given by the Appellant and in fact, mail was sent by the Bank of Baroda that steps be taken for CoC's consideration under 12A. It is submitted that the Appellant has

offered the entire principal amount which was claimed by the Bank and now the impugned order has been passed directing liquidation of the corporate debtor.

2. Let 'Notice' be issued to the Respondents through 'Speed Post'. Let the requisites together with process fee be filed within three days from today. The Appellant is required to provide the e-mail address of the Respondents and in that mode also, the service can be effected. The Appellant is also required to furnish the Mobile No. of the Respondents to the 'Office of the Registry'.

3. Let reply be filed within three weeks. Rejoinder, if any, be filed within two weeks thereafter.

4. List the appeal on 09.07.2024.

In the meantime, in pursuance of the impugned order, liquidator shall not issue any auction notice.

**[Justice Ashok Bhushan]
Chairperson**

**[Barun Mitra]
Member (Technical)**

Anjali/nn