

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

**Company Appeal (AT) (Insolvency) No.1296 of 2023  
& I.A. No.4579 of 2023**

**IN THE MATTER OF:**

**Parvinder Singh Khurana**

**...Appellant**

**Versus**

**Kamal Agarwal  
Liquidator Khullar Hospitality & Ors.**

**...Respondents**

**Present:**

**For Appellant: Mr. Harshvardhan Pandey, Mr. Rohish Arora,  
Advocates.**

**For Respondents: Mr. Saurabh Kalia and Ms. Shakshi Kaushik,  
Advocates for R-2.**

**O R D E R**

**03.10.2023:** Heard learned counsel for the Appellant as well as learned counsel appearing for the Respondent No.2. This Appeal has been filed against order dated 27.07.2023 by which order I.A. No. 2413 of 2020 filed by the RP/Liquidator has been allowed. Appellant aggrieved by the order has come up in this Appeal.

2. Learned counsel for the Appellant submits that he could not have full representation before the Adjudicating Authority, hence, he could not file reply.

3. Learned counsel for the Respondent No.2 pointed out that Appellant was given opportunity to file reply. The application is pending since year 2020 and Appellant did not file reply inspite of opportunity granted by the Adjudicating Authority. The Adjudicating Authority also granted opportunity to file a synopsis which also he could not file.

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4. Learned counsel for the Appellant relying on certain documents filed in this Appeal as Annexure E contends that vehicles were also sold.

5. Learned counsel for the Respondent rightly submits that these documents were not before the Adjudicating Authority and the Appellant cannot be allowed to rely on the said documents filed in this Appeal.

5. We are of the view that when inspite of opportunities granted by the Adjudicating Authority, Appellant could not avail the opportunity, he is not entitled for any indulgence in this Appeal. Appeal is dismissed.

**[Justice Ashok Bhushan]  
Chairperson**

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

**[Arun Baroka]  
Member (Technical)**

*Archana/nn*