

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

**Company Appeal (AT) (Insolvency) No. 701 of 2023**

**In the matter of:**

**Pawan Kumar Manguturam Bairagra**

**....Appellant**

**Vs.**

**Encore Asset Reconstruction Company Ltd.**

**...Respondent**

**For Appellant**

**Mr. Krishnendu Datta, Sr. Advocate with Mr. Abhijeet Sinha, Mr. Avi Tandon, Ms. Neha Agarwal, Advocates.**

**For Respondent**

**Mr. Sudhir Makkar, Sr. Advocate with Mr. Tushar John, Mr. Arjun Maheshwari, Ms. Saumya Gupta, Advocates for R1**

**Mr.P. Nagesh, Sr. Advocate with Mr. Mr. Gaurav Mitra, Mr. Anupam Sinha, Mr. Apoorv Jha in IA 5362/2023**

**Mr. Mohit Chaudhary, Mr. Prakhar Mithal, Advocates for intervenor**

**Mr. Sumesh Dhawan, Ms. Vatsala Kak, Mr. Shaumya Shyam, Advocates.**

**ORDER**

**(HYBRID MODE)**

**20.11.2023:** Learned Counsel for the Appellant submits that after the order dated 16.08.2023, the property which was to be sold could not be sold and now the Appellant has approached the new investor who has already filed an Intervention Application in this Appeal and is ready to deposit the entire amount.

2. Learned Counsel for the Financial Creditor has opposed the submission made by Learned Counsel for the Appellant and submits that several opportunities have been granted to the Appellant but the Appellant has not

yet deposited the amount and no further opportunity be granted and the matter be heard.

3. Considering the submission of the Appellant that a last opportunity be granted to deposit the amount as per the order dated 16.08.2023, we permit the Appellant or proposed investors to deposit the amount by 04.12.2023.

4. Let the amount be deposited as directed earlier. We make it clear that in event the amount is not deposited, the matter shall be heard. All Intervention Applications filed be also considered on the next date.

5. Learned Counsel for the interveners seeks liberty to file hardcopy of the applications. He may do so during the course of the day.

6. List the Appeal on 05.12.2023.

Interim order to continue.

**[Justice Ashok Bhushan]  
Chairperson**

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

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

***Anjali/nn***