

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) (insolvency) No. 140 of 2021

IN THE MATTER OF:

Prakash Chandra Kapoor & Anr. ...Appellants

Versus

Vijay Kumar Iyer, Liquidator & Anr. ...Respondents

Present: -

For Appellant: Ms. Meenakshi Rawat, Mr. Rajesh Chhetri and Mr. Satyabrata Panda, Advocates.

For Respondent: Mr. Aakarshan Sahay, Mr. Sumesh Dhawan, Ms. Vatsala Kak and Mr. Nakul Sachdeva, Advocates for Liquidator. Mr. Karan Khanna, Mr. Chetan Kapadia, Mr. Dhananjay Kumar, Mr. Anshu Mathkar and Mr. Aarant Sarangi, Advocates for R-2.

WITH

Company Appeal (AT) (insolvency) No. 165 of 2021

IN THE MATTER OF:

PGI GMBH Playglobal International ...Appellant

Versus

**Vijay Kumar V. Iyer,
Liquidator of Bharati Defence and
Infrastructure Ltd. & Anr. ...Respondents**

Present: -

For Appellant: Ms. Aditya Swarup, Mr. Sandeep Roy and Mr. Swaroop George, Advocates.

For Respondent: Mr. Aakarshan Sahay, Mr. Sumesh Dhawan, Ms. Vatsala Kak and Mr. Nakul Sachdeva, Advocates for Liquidator.

WITH

Company Appeal (AT) (insolvency) No. 243 of 2021

IN THE MATTER OF:

Bharatiya Kamgar Sena Workmen Union of BDIL ...Appellant

Versus

Vijay Kumar Iyer, (Liquidator) & Anr. ...Respondents

Present: -

For Appellant: Ms. Meenakshi Rawat and Mr. Rajesh Chhetri, Advocates.

**For Respondent: Mr. Aakarshan Sahay, Mr. Sumesh Dhawan, Ms. Vatsala Kak and Mr. Nakul Sachdeva, Advocates for Liquidator.
Mr. Karan Khanna, Mr. Chetan Kapadia, Mr. Dhananjay Kumar, Mr. Anshu Mathkar and Mr. Aarant Sarangi, Advocates for R-2.**

ORDER
(Virtual Mode)

27.04.2021 Heard Learned Counsel for the Appellant. Learned Counsel for the Respondents are also present.

2. From the perusal of the order dated 09.04.2021 passed by this Tribunal is as under:

“In terms of the order dated 25.03.2021 Written Submissions have been filed on behalf of the Appellants and Respondents. Today when the case was called out Learned Counsels for the Appellants and Respondents are present. Pleadings are complete.

List these appeals ‘For Hearing’ on 7th May, 2021.”

3. Now urgency slip has been filed on 19.04.2021 by the Appellant through email where wrong statements have been given and it has been submitted that “Further matter was adjourned unilaterally by the Hon’ble Bench on the ground that the pleadings are not complete. However, both the parties have already filed their written submissions.”

4. In view of the incorrect facts mentioned in the email for earlier listing of this case, the Learned Counsel for the Appellant is directed to file affidavit withdrawing the incorrect statement and apologize to this Appellate Tribunal.

5. Learned Counsel for the Appellant also mentioned that the Liquidator is

now proceeding with stripping the Corporate Debtor of its strategic assets and selling them in parcels, the Liquidator has issued public notice on 08.04.2021 for auction of the Corporate Debtor in piecemeal manner in violation of the directions of the NCLAT. Learned Counsel for the Appellant is directed to file proper application for interim relief in the matter within one week.

6. In view of the office order dated 19th April, 2021, 2nd wave of Covid-19 this Appellate Tribunal have been preponed the Summer Vacation i.e. 26th April to 20th May, 2021, earlier the Vacation was commenced from 7th June to 30th June, 2021. During this period only urgent matter will be heard.

7. The hearing of these three Appeals was fixed on 7th May 2021, as per the office order all the cases to be listed on 7th May, 2021 now to be listed on 4th June, 2021.

List these Appeals along with I. As on **4th June, 2021.**

**[Justice Anant Bijay Singh]
Member (Judicial)**

**[Kanthi Narahari]
Member (Technical)**

R.N./B.M/