

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
Company Appeal(AT)(Insolvency) No. 351 of 2021**

**IN THE MATTER OF:**

**Rajnish Gupta**

**...Appellant**

**Vs**

**Union Bank and Anr.**

**Respondents**

**Present:**

**For Appellant: Mr. Mohit Chaudhary, Mr. Paras Mittal Ms. Garima Sharma and Mr. Kunal Sachdeba Advocates**

**For Respondents Ms. Ekta Chaudhury, Advocate for Respondent No. 1. Mr. Abhishek Anand and Mr. Rahul Adlakha, Advocates for Respondent No. 2.**

**O R D E R  
(Through Virtual Mode)**

**11.05.2021** Heard learned Counsel for the Appellant. He submits that the Appellant is not the Corporate Debtor and the property of a third party has been attached in an ex-parte order. Now the Committee of Creditors has decided to liquidate the Appellant Company. He submits that the proceedings before the Adjudicating Authority may be stayed.

2. Let notice be issued on Respondents by Speed Post. Requisites along with process fee, if not filed, be filed by 13.05.2021. If the Appellant provides the e-mail address of Respondents, let notice be also issued through e-mail.

3. Learned Counsel for the Respondents accepted notice on behalf of Respondent Nos. 1 & 2 and submitted that the Appellant deliberately avoided appearing before the Adjudicating Authority after due notice. There is no merit

in the Appeal. Therefore, the Appeal may be dismissed at the threshold. There is no ground to stay the proceedings before Adjudicating Authority.

4. We find no ground to stay the proceedings before Adjudicating Authority.

5. Respondents are directed to file Reply Affidavit within two weeks. Rejoinder, if any, may be filed within one week thereafter. Parties are directed to file Written Submissions not more than three pages before the next date of hearing.

Let the matter be fixed on **2<sup>nd</sup> June 2021** under the caption 'For Admission (After Notice).'

**[Justice Jarat Kumar Jain]**  
**Member (Judicial)**

**(V.P. Singh)**  
**Member(Technical)**

*Akc/Gc*