

NATIONAL COMPANY LAW APPELLATE TRIBUNAL,
PRINCIPAL BENCH: NEW DELHI
Company Appeal (AT) (Ins) No. 300 of 2021

In the matter of:

Ashwini Kumar Pandey

....Appellant

Vs.

**PiyushMoona,
Interim Resolution Professional,
R.S. Seven Lifestyle Pvt. Ltd. &Anr.**

...Respondents

Present

For Appellant: Mr. Abhijeet Sinha, Mr. Rajiv K. Virmani and Mr. Karan Valecha, Advocates.

**For Respondents: Mr. CA Piyush Moona (IRP) for R-1.
Mr. Sagar Bansal and Mr. Aabhas Singh, Advocates for R-2.**

ORDER

27.04.2021: It appears from the perusal of the order dated 12.04.2021, this case was directed to be listed as Fresh Case on 22.04.2021.

In the meanwhile, Registrar of this Tribunal along with one of the staff declared Covid- 19 Positive under the second wave. This tribunal was closed for Covid sanitization under covid protocol from 20.04.2021 to 24.04.2021.

Further, taking note of second wave of the covid, on 19.04.2021 the Office order has been issued by this Tribunal whereby the Summer Vacations commencing from 07.06.2021 to 30.06.2021 stand cancelled and declared to be working days. In lieu of the same, the period from 26.04.2021 to 20.05.2021 shall be observed as Summer Vacations.

The e-mail was sent by the Counsel for the Appellant on 21.04.2021 for urgent listing of the case. As stated in the impugned order dated 01.04.2021 passed by NCLT Division Bench New Delhi Court No – III passed as an ex-parte order.

Counsel for the Appellant mentioned that in terms of the order dated 12.04.2021, the matter could be settled outside the court. Counsel for the Appellant is ready to pay the entire amount of Rs. 34, 54, 635/- as on 26.06.2019 and further Rs. 2,00,000/- as IRP fees.

Counsel for the Respondent on the other hand submitted that the Appellant had never approached.

One opportunity is further given to the Appellant and the Counsel for the Respondent to negotiate and try to settle the matter outside the court. Both the parties may inform this court on the next date.

It is informed that CoC has been constituted yesterday i.e. 26.04.2021. Till further order the CoC will not discharge its function. CoC is directed not to hold the meeting till the next date.

List the Appeal on **24th May, 2021**.

[Justice Anant Bijay Singh]
Member (Judicial)

[Kanthi Narahari]
Member (Technical)

sr/bm