

NATIONAL COMPANY LAW APPELLATE TRIBUNAL,

PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) (Ins) No. 1097 of 2019

IN THE MATTER OF:

Mr. G. Eswara Rao

Appellant

Vs.

Stressed Assets Stabilization Fund &Anr.

....Respondents

Present:

For Appellant : Ms. AakritiDhawan, Advocate

**For Respondent: Mr. SidharthaBarua and Mr. PrafulJindal, Advocates
for R1**

O R D E R
(Virtual Mode)

28.05.2021: In compliance to the order dated 15.04.2021 passed by Hon'ble Supreme Court in Civil Appeal No. 3228 of 2020 the appeal is restored to its original number. The relevant portions of the order is as under:-

5. As decided by us in Civil Appeal No.323 of 2021, we give one more opportunity to the 4 appellant in this case to amend its pleading on payment of costs of Rs.1,00,000/- to the respondents within four weeks from today. The NCLAT judgment dated 07.02.2020 is set aside and the matter is remanded to the NCLAT to decide the matter afresh in accordance with the law laid down in Civil Appeal No.323 of 2021.

Ld. Counsel for the Respondent No. 1 submits that in compliance of the order passed by the Hon'ble Supreme Court, they have paid the costs of Rs. 1 Lakh to the Appellant and they have filed amended Reply before this Appellate Tribunal.

Ld. Counsel for the Appellant submits that they have received the costs but not the copy of the amended Reply.

Respondent No. 1 is directed to provide the amended copy of reply to the Appellant. It is also directed to file the application before this Appellate Tribunal for amending the original application under Section 7 of the IBC in compliance of the order of Hon'ble Supreme Court.

Ld. Counsel for the Respondent No. 1 undertakes to file the same within two weeks and provide the copy to the Appellant Counsel.

Let the matter be fixed for orders on **21st June, 2021.**

[Justice Jarat Kumar Jain]
Member (Judicial)

[Dr. Ashok Kumar Mishra]
Member (Technical)

SC/md.