

# **NATIONAL COMPANY LAW APPELLATE TRIBUNAL**

## **PRINCIPAL BENCH**

**2<sup>nd</sup> FLOOR, M.T.N.L BUILDING, NEAR SCOPE COMPLEX, CGO COMPLEX, NEW DELHI**

**SUPPLEMENTARY CAUSE LIST (2) DATED 07.07.2023 (FRIDAY)**

**COURT OF CHAIRPERSON**

## **CASES SHALL BE HEARD ONLY IN PHYSICAL MODE**

**10:30 AM**

**In the Court of Hon'ble Mr. Justice Ashok Bhushan, the Chairperson and Hon'ble Mr. Barun Mitra, Member (Technical)**

**For Judgment**

<b>S. No.</b>	<b>Case No.</b>	<b>Name of the parties</b>	<b>Counsel for Appellants</b>	<b>Counsel for Respondents</b>
1.	Comp. App. (AT) (Ins) No. 565 of 2023 & I.A No. 1857, 1860 of 2023	Epitome Components Pvt. Ltd. Vs. Divyesh Desai The liquidator of Trend Electronics Ltd. & The erstwhile resolution professional of Trend Electronics Ltd. & Anr.  <b>With</b>	Meghna Rao	Anand Varma-R1
2.	Comp. App. (AT) (Ins) No. 528 of 2023 & I.A. No. 1715 of 2023	Marathwada Audogik And General Kamgar Sanghtan Through its President Subhash Patil Vs. Divyesh Desai Liquidator of Trend Electronics Ltd. & Anr.	Rajat Malu	Kaustubh Prakash. Anand Varma Kirti Gupta-R1 Bishwajit Dubey-R2

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**By order of Hon'ble Chairperson  
-sd/-  
Registrar**

### **NOTICE**

Kindly take the notice that by order of Hon'ble Chairperson the Reference (CH) No. 01 of 2023 will be listed before Three-Member Bench consisting of Hon'ble Chairperson, Justice Rakesh Kumar, Hon'ble Member Judicial and Shri Barun Mitra, Hon'ble Member Technical on 10.07.2023 at 10:30 AM in the Court of Chairperson for answering the following questions:

- I. Whether in Appeal filed under Section 61 of the I&B Code, by a third party who was not party to the proceedings before the Adjudicating Authority, an application seeking leave to prefer the appeal is necessary to be filed and decided before entertaining the Appeal?
  
- II. Whether the Two-member Bench judgment of Chennai Bench dated 24.05.2023 in Company Appeal (AT) (CH) (INS.) No. 130 of 2023 in I.A. Nos. 439, 440 & 441/2023, Trimex Industries Pvt. Ltd. vs. Bhuvan Madan, RP of Sathavahana Ispat Ltd. & Anr. holding that there is no requirement for filing an application for leave to appeal lays down correct law?