

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 271 of 2018

IN THE MATTER OF:

Stressed Assets Stabilization Fund

...Appellant

Vs

Rakesh Kumar Agarwal

....Respondent

Present:

For Appellant: Mr. Raktim Gogoi, Mr. Jitender Jain and Mr. Kartikeya Singh, Advocates.

For Respondent: Mr. Rakesh Agarwal, RP and Mr. D. N. Sharma, Advocate for RP.

ORDER

31.05.2018: The appellant has challenged order dated 16th May, 2018 passed by National Company Law Tribunal, Kolkata Bench, Kolkata in CP.(IB) No. 441/KB/2017, which reads as follows:

“ORDER

Ld. Counsel for the Resolution Professional, financial creditor and the IFCI is present.

Ld. Counsel for the Resolution Professional filed the reply affidavit to the CA(IB) No.209/KB/2017. Ld. Counsel appearing for the applicant in the CA sought time to file rejoinder. Time is granted. Rejoinder is to be filed within 7 days.

In the meanwhile, RP is directed to file final progress report and the resolution plan for consideration of the Adjudicating Authority u/s. 30 of the I & B Code.

List it on 14/06/2018 for further consideration.”

We find no merit to interfere with the impugned order. The appeal is dismissed.

However, this order will not come in the way of the Appellant, if he is treated to be a Financial Creditor.

[Justice S. J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

am/gc