

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 237 of 2019

IN THE MATTER OF:

Avasarala Venkateshwra Rao

.....Appellant

Vs.

Servomax India Pvt. Ltd. & Ors.

.....Respondents

Present :

For Appellant: Mr. Rajesh Bohra, Advocate

**For Respondents: Mr. G.Madhusudhan Rao, Advocate for R-1 & R-2
Ms. Shweta Kapoor with Mr. Amir Kaleem, Mr.
Sudhir Kumar, Advocates for R-6**

O R D E R

23.04.2019 – The Appellant has challenged the Order dated 21st January, 2019 passed by the Adjudicating Authority (National Company Law Tribunal), Hyderabad Bench, Hyderabad, whereby the Adjudicating Authority passed certain order on Prohibition and made certain observations.

Learned counsel appears on behalf of Respondent submits that the interim direction passed by the Adjudicating Authority on 21st January, 2019 has become infructuous, the period of moratorium having been lapsed on passing of order of liquidation.

In reply, learned counsel for the Appellant submits that though the order of prohibition as passed by Adjudicating Authority on 21st January, 2019 has become infructuous the observations made by Adjudicating Authority against the Appellant will continue. Prayer has been made to expunge the remarks against the Appellant.

In the circumstances, we direct that the observations made by the Adjudicating Authority in the impugned order dated 21st January, 2019 should not be taken into consideration for deciding any claim of the Appellant. The appeal stands disposed of with aforesaid observations.

[Justice S. J. Mukhopadhaya]
Chairperson

[Justice A. I. S. Cheema]
Member (Judicial)

[Kanthi Narahari]
Member (Technical)

ss/gc