

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 1485 of 2019

IN THE MATTER OF:

Vinod Kumar Mishra

...Appellant

Vs

Union Bank of India & Anr.

....Respondents

Present:

For Appellant: Mr. Rakesh U. Upadhyay, Advocate.

For Respondents: Ms. Mani Solanki, Advocates for R-1.

Mr. Amar Deep Sharma, Advocate for R-2 (RP).

ORDER

23.01.2020: After hearing Mr. Rakesh U. Upadhyay, learned counsel representing the Appellant for a while on the issue of limitation, raised as the main issue in the instant appeal, and being confronted with the acknowledgement of debt on part of the Corporate Debtor coupled with the fact that the same was followed by an One Time Settlement (OTS) duly approved and stated to have been acted upon in furtherance whereof some part payment was made, learned counsel for the Appellant sought to withdraw the appeal as per instructions of the Appellant, who is also present in person.

In view of the prayer made, the appeal is dismissed as withdrawn without giving liberty to the Appellant to assail the same very impugned order before this or any other forum in appeal or other proceedings.

However, this order shall not preclude the Appellant from pursuing any other legal remedy available under law.

[Justice Bansi Lal Bhat]
Member (Judicial)

[Justice Venugopal M.]
Member (Judicial)

[Justice Anant Bijay Singh]
Member (Judicial)

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