



4. Mr. Rohit Rajershi, learned counsel appearing on behalf of 1<sup>st</sup> and 2<sup>nd</sup> Respondents ('Successful Resolution Applicant') submitted that the sister concern of the Appellant 'Maharashtra State Electricity Transmission Company Limited' also moved an Application against the same very impugned order dated 17<sup>th</sup> October, 2019 before this Appellate Tribunal in Company Appeal (AT) (Insolvency) No. 1401 of 2019. The said appeal was dismissed on merit by order dated 3<sup>rd</sup> February, 2020.

5. In view of the fact that this Appellate Tribunal has no power to condone delay beyond 15 days after 30 days of the prescribed period for preferring the appeal in terms of Section 61(2) of the 'I&B Code', the Appeal is dismissed on the ground of delay.

6. Further, on merit the other Appeal having preferred by the sister concern of the Appellant having been dismissed, we are not inclined to grant any relief.

7. We have noticed that subsequently a direction has been issued by the Adjudicating Authority by order dated 10<sup>th</sup> January, 2019 which was also on the record, but the same is not under challenge.

8. Further, the claim has been rightly decided by the 'Committee of Creditors', also cannot be looked into in view of the decision of the Hon'ble

Supreme Court in **“Committee of Creditors of Essar Steel India Limited v. Satish Kumar Gupta & Ors.– 2019 SCC OnLine SC 1478”**.

The Appeal is dismissed both on the ground of limitation and on merit. No costs.

[Justice S.J. Mukhopadhaya]  
Chairperson

(Shreesha Merla)  
Member(Technical)

Ar/Rr