

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 177 of 2018

IN THE MATTER OF:

**Mr. Harvatar Singh Arora,
Promotor of James Hotel**

...Appellant

Vs.

Navneet Gupta & Ors.

...Respondents

Present: For Appellant: - Ms. Geetha Choudhary, Advocate.

ORDER

03.05.2018- This appeal has been preferred by the 'Promoter' of the 'Corporate Debtor' against the order dated 3rd April, 2018, passed by the Adjudicating Authority (National Company Law Tribunal), Chandigarh Bench, Chandigarh, whereby and whereunder the application preferred by the Appellant to stay the proceedings, in view of the fact that they have challenged the *vires* of provisions of the 'I&B Code' has not been accepted.

Learned counsel appearing on behalf of the Appellant submitted that the 'Corporate Insolvency Resolution Process' cannot continue beyond the period of 270 days. However, we find that in view of the order of stay passed by the Hon'ble High Court of Punjab and Haryana, the question was raised whether the period during which the order of stay continued can be excluded from the period of 270 days or not. Such question is pending consideration before the Adjudicating Authority. In

this background, we are not inclined to interfere with the impugned order and not inclined to deliberate the issue at this stage.

The appeal is dismissed. No cost.

(Justice S.J. Mukhopadhaya)
Chairperson

(Justice Bansi Lal Bhat)
Member(Judicial)

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