

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) No. 96 of 2019

IN THE MATTER OF:

RA PowerGen Engineers Pvt. Ltd.

...Appellant

Vs

Cummins Generator Technologies India Pvt. Ltd.

....Respondent

Present:

For Appellant: Mr. Aljo K. Joseph, Advocate.

For Respondent:

ORDER

22.04.2019: The order under challenge is the order passed by the Adjudicating Authority (National Company Law Tribunal), Bengaluru Bench under Section 9 of the Insolvency and Bankruptcy Code, 2016 by converting the application under Section 433(e), 433(f) and 434 of Companies Act, 1956.

In view of the said position, as appeal under Section 421 of Companies Act, 2013 is not maintainable, learned counsel for the Appellant prays for and allowed to withdraw the appeal with liberty to file proper appeal under Section 61 of the I&B Code within 7 days. The appeal stands disposed of with aforesaid liberty.

[Justice S. J. Mukhopadhaya]
Chairperson

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

(Kanthi Narahari)
Member (Technical)

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