

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Ins.) No. 225 of 2019

IN THE MATTER OF:

Anand Kumar Kariawala

...Appellant

Versus

Jain Constructions Pvt. Ltd. & Ors.

...Respondents

Present:

For Appellant :

**Mr. Sidharth Sharma, Mr. Arjun Asthana and
Ms. Sreenita Ghosh, Advocates**

For Respondents:

**Mr. Aaditya Vijaykumar and Mr. Aneesh Sadhwani,
Advocates for Respondent No. 3**

ORDER

27.03.2019 Learned counsel for the appellant submitted that the appellant being the one of the Director of the 'Corporate Debtor' should have been allowed to intervene in the matter pending before the Adjudicating Authority. However, we find that the 'Corporate Debtor' has already been noticed and appeared through its Director. In the circumstances, it is not necessary that all the Directors are to be heard. For the said reason, we are not inclined to interfere with the impugned order dated 12th December, 2018.

However, it will be open to the appellant to file a short written submission, not more than two pages, before the Adjudicating Authority to show that the application is not maintainable, after serving a copy of the same on the other parties, which may be taken into consideration by the Adjudicating Authority, Kolkata Bench, but no hearing is to be given.

The appeal stands disposed of.

[Justice S.J. Mukhopadhaya]
Chairperson

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

/ns/gc/