

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 509 of 2020

IN THE MATTER OF:

**Parthiv Parikh,
RP of Jaihind Project Ltd.**

...Appellant

Versus

Brahmaputra Cracker & Polymer Ltd.

...Respondent

Present:

For Appellant : Ms. Purti Marwaha, Ms. Henna George and Ms. Tush,
Advocates

For Respondent : Mr. Akshat Khare, Advocate

O R D E R
(Through Virtual Mode)

12.06.2020 Ms. Purti Marwaha, learned counsel for Appellant filed a copy of the order dated 19th March, 2020 passed by the Adjudicating Authority (National Company Law Tribunal), Ahmedabad Bench, Ahmedabad Court II by way of an additional affidavit, which is taken on record.

On perusal of this order, we find that the 'resolution plan' of Parixit Irrigation Limited qua Jaihind Projects Limited has been approved. In view of the approval of the resolution plan of, the resolution applicant, the earlier order passed by the Adjudicating Authority on 22nd January, 2020 in I.A. No. 657 of 2019 in CP (IB) No. 172/NCLT/AHM/2018 as regards the direction given to the 'Resolution Professional' to include the claim of the Applicant – 'Brahmaputra Cracker & Polymer Limited' at full value so as to enable prospective resolution applicants to design their resolution plans accordingly, stands overtaken by the subsequent event viz. approval of the resolution plan on 19th March, 2020 which

is supposed to balance the interests of all stakeholders. This appeal does not question the legality or correctness of the approved resolution plan. Viewed in this context appeal against the impugned order passed prior to approval of 'resolution plan' by the Adjudicating Authority in regard to the inclusion or admission of a claim would no more survive for consideration.

The appeal is accordingly disposed of as being not maintainable.

**[Justice Bansi Lal Bhat]
Acting Chairperson**

**[Justice Anant Bijay Singh]
Member (Judicial)**

**[Dr. Ashok Kumar Mishra]
Member (Technical)**

/ns/RR/