

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Company Appeal (AT) (Insolvency) No. 641 of 2018**

**IN THE MATTER OF:**

**Runh Power Corporation Ltd.**

**...Appellant**

**Vs.**

**Ind-Barath Power (Madras) Ltd.**

**...Respondent**

**Present: For Appellant: - Ms. Anannya Ghosh, Mr. Anshuman Pande and Mr. Abhinav Raghuvanshi, Advocates.**

**For Respondent: -Mr. Hitesh Kumar and Ms. Ashly Cherian, Advocate for RP.**

**ORDER**

**25.10.2018—** The grievance of the Appellant is that the bank guarantee given by the China Bank through Bank of Baroda has been ordered to be invoked by the Axis Bank which is against the provisions of law. The Appellant is also concerned with the said bank guarantee.

Issue notice. Mr. Hitesh Kumar, Advocate accepts notice on behalf of the 1<sup>st</sup> Respondent ('Resolution Professional'). No further notice need be issued to him. Learned counsel for the Appellant will serve a copy of the paper book on him in course of day. He may file reply within 10 days. Rejoinder, if any, be filed by the Appellant within a week thereof.

Contd/-.....

Let notice be issued on rest of the Respondents by speed post. Requisite along with process fee, if not filed, be filed by 26<sup>th</sup> October, 2018. If the Appellant provides the e-mail address of the rest of the Respondents, let notice be also issued through e-mail.

Post the matter 'for admission' on 28<sup>th</sup> November, 2018.

In the meantime, the Appellant will file certified copy of the impugned order within 10 days.

Invocation of the bank guarantee is subject to the decision of this appeal.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Justice Bansi Lal Bhat)  
Member(Judicial)

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