

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 719 of 2018

IN THE MATTER OF:

Dena Bank

...Appellant

Vs.

Ms. Charu Sandeep Desai & Ors.

...Respondents

Present: For Appellant: - Mr. Sudhir K. Makkar, Senior Advocate with Mr. Amit Mahalixan and Mr. Abhishke Chaudhary, Advocates.

For Respondents:- Mr. Arun Kathpalia, Senior Advocate with Ms. Mahima Singh, Advocate.

O R D E R

11.01.2019— Learned counsel for the Appellant prays for and is allowed time till Monday i.e. 14th January, 2019 to file rejoinder affidavit.

Post the appeal 'for admission' on 5th February, 2019 on the top of the list.

The appeal may be disposed of on the next date.

In the meantime, it will be open to the 'Resolution Professional' and the 'Committee of Creditors' to show the land in possession of the Bank as a land of the 'Corporate Debtor' and if it has already been shown in the 'Information Memorandum' and the 'Resolution Plan' has been submitted and placed before the Adjudicating Authority (National Company Law Tribunal), then the Adjudicating Authority will pass

Contd/-.....

appropriate order under Section 31 of the Insolvency and Bankruptcy Code, 2016 uninfluenced by the pendency of the appeal. The question of possession can be decided even after the approval of the 'Resolution Plan'.

(Justice S.J. Mukhopadhaya)
Chairperson

(Justice Bansi Lal Bhat)
Member(Judicial)

Ar/g