

National Company Law Tribunal

Allahabad Bench

C.P. No. 24/ALD/2017

C.A. No. 215/2017

**ATTENDENCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH
OF THE NATIONAL COMPANY LAW TRIBUNAL ON 28.11.2017**

NAME OF THE COMPANY: Exim Bank Vs JEKPL

SECTION OF THE COMPANIES ACT:

<u>Sl. NO.</u> <u>Signature</u>	<u>Name</u>	<u>Designation</u>	<u>Representation</u>
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C.A No. 215/2017

On being mentioned, the case is taken upon Board. Shri Anurag Khanna, Sr. Advocate along with Gunjan Jadwani, Advocate appear for Petitioner-Exim Bank. Shri Nesar Ahmad along with Anil Kumar, PCS for the Respondent-RP/COC of the Corporate Debtor Company.

Today an application is moved for keeping abeyance the operation of the order dated 27.11.2017 as passed by this Court in Application No. 159/ 2017 (CP No. 24/ALD/2017).

The petitioner now stated that it has not received yet certified copy of the order and is contemplating for moving an appeal before the Hon'ble NCLAT, but it is apprehending such that RP may convene the meeting of COC in immediate future. Hence, interest of the petitioner may be prejudiced.

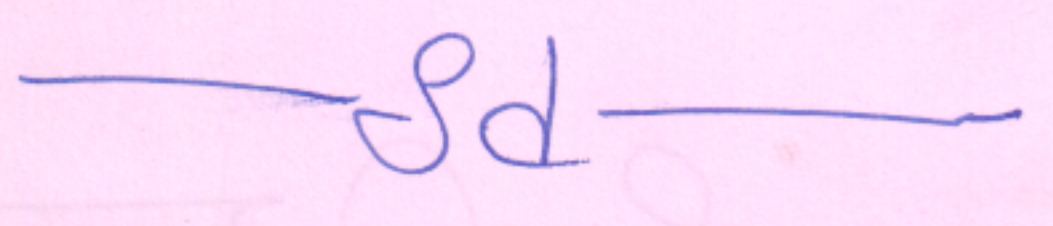
Shri Nesar Ahmad, learned PCS strongly objects this application stating that the time is essence of the Code and the RP is rightly proceeding for convening a meeting of COC, as per its pre schedule and

is felt necessary to prepare resolution plan and to complete the CIRP within time frame.

Having heard submission of both the parties and by considering circumstances of the present case, we are of the view that the court ought to provide a fair opportunity to an aggrieved party to approach the Appellate Court/ higher Court for seeking relief from there. Hence, operation of order dated 27/11/2017 of this court in the present matter is kept in abeyance till 1st December, 2017.

Date: 28/11/2017

Typed by
Jyoti


H.P. Chaturvedi, Member(Judicial)