

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. No. 409 & 436 of 2018

IN

Company Appeal (AT) (Insolvency) No. 317 of 2017

IN THE MATTER OF:

Srei Infrastructure Finance Ltd.

...Appellant

Versus

Canara Bank & Ors.

...Respondents

Present:

For Appellant : **Mr. Sudipto Sarkar, Senior Advocate assisted by Mr. Abhijeet Sinha, Mr. Arijit Mazumdar, Ms. Arunabha Deb, Mr. Akshay Chandna, Mr. Shambo Nandy and Mr. Saikat Sarkar, Advocates**

For 1st Respondent: **Mr. Rajesh Kumar Gautam and Mr. Aakash Sehrawat, Advocates**

O R D E R

24.04.2018 The case was heard and the judgment was reserved. In the meantime, the present Interlocutory Applications have been filed by the appellant bringing certain facts to the notice of the Appellate Tribunal. It is stated that the part of the loan which was supposed to be counted as share has not been converted and no share allotment has been made. In the records of 'Corporate Debtor' the appellant has not been shown as 'shareholder'. The loan amount given by the appellant has been shown as loan amount payable to the appellant.

Learned counsel appearing on behalf of the Canara Bank is present but we also intend to hear the 'Resolution Professional'.

Let notice be issued on the Interlocutory Application to the 'Corporate Debtor' through the 'Resolution Professional'. Dasti service is also permitted.

Learned counsel for the appellant will serve a copy of the Interlocutory Applications on the 'Resolution Professional' who is directed to go through the same and file an affidavit and state whether the appellant has been shown as 'shareholder' of the 'Corporate Debtor' or not.

Let a copy of this order be handed over to the learned counsel appearing for the appellant and the learned counsel appearing on behalf of the Canara Bank.

Post the case 'for orders' on 3rd May, 2018.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

/ns/gc