

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI
COMPANY APPEAL(AT)(INSOLVENCY) NO. 309 OF 2017

IN THE MATTER OF:

JODPL Private Limited
Through its Resolution Professional .. Appellant
Vs
Gujarat State Petroleum Corporation Limited .. Respondent

Present:

For Appellant: Ms. Misha and Shri Vaijayant Paliwal, Advocate

**For Respondent: Shri Bishwajit Dubey, Mrs. Srideepa Bhattacharya
and Aditya Marwah, Advocates**

O R D E R

08.12.2017 - The question arises for consideration in this appeal as to whether a 'Resolution Professional' has locus standi to prefer an appeal under Section 61 of Insolvency and Bankruptcy Code, 2016 (in sort I & B Code), if one of its decisions is not accepted by the Adjudicating Authority. In other words, whether a 'Resolution Professional' can be treated as an aggrieved person for preferring an appeal under Section 61 of I & B Code. The other question arises for consideration is whether a 'Resolution Professional' is empowered under the I & B Code to move before a Court of Law/Tribunal/Appellate Tribunal.

2. Mr. Bishwajit Debey appearing on behalf of the Respondent accepts notice on behalf of the Respondent. He may file reply within a week.

3. Post the matter on **5th January, 2018**.

(Justice S.J. Mukhopadhaya)
Chairperson

(Justice Bansilal Bhat)
Member(Judicial)

(Justice A.I.S. Cheema)
Member(Judicial)

Akc/Unni