

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

**Company Appeal (AT) (Insolvency) No. 302 of 2017**

**IN THE MATTER OF:**

**Axis Bank Limited**

**...Appellant**

**Vs**

**EDU Smart Services Private Limited & Anr.**

**....Respondents**

**Present:**

**For Appellant: Mr. Amit Sibal, Sr. Advocate assisted by Mr. Shantanu Chaturvedi and Mr. Aditya Gupta Advocates.**

**For Respondent: Mr. Sumesh Dhwan and Ms. Vatsala Kak, Advocates for IRP.**

**Mr. Ajay K. Jain, Advocate for COC**

**With**

**Company Appeal (AT) (Insolvency) No. 304 of 2017**

**IN THE MATTER OF:**

**Export Import Bank of India**

**...Appellant**

**Vs**

**Resolution Professional JEKPL Pvt. Ltd.**

**....Respondent**

**Present:**

**For Appellant: Mr. Tushar Mehta, ASG with Mr. Ashish Rana and Mr. Sharur Ahmed, Advocates.**

**For Respondent: Mr. Rohit Chaudary, Advocate and Mr. Nesar Ahmad, PCS.**

**With**

**Company Appeal (AT) (Insolvency) No. 16 of 2018**

**IN THE MATTER OF:**

**Export Import Bank of India**

**...Appellant**

**Vs**

**Resolution Professional JEKPL Pvt. Ltd.**

**....Respondents**

**Present:**

**For Appellant: Mr. Tushar Mehta, ASG with Mr. Ashish Rana and Mr. Sharur Ahmed, Advocates.**

**For Respondent: Mr. Rohit Chaudary, Advocate Mr. Nesar Ahmad, PCS.  
Mr. Dheeraj Nair and Mr. Kumar Kislay, Advocates for Resolution Applicant.**

**With**

**Company Appeal (AT) (Insolvency) No. 313 of 2017**

**IN THE MATTER OF:**

**IDBI Bank Limited**

**...Appellant**

**Vs**

**Vijay Kumar V. Iyer & Anr.**

**....Respondents**

**Present:**

**For Appellant: Mr. Tushar Mehta, ASG with Mr. Ashish Rana and Mr. Sharur Ahmed, Advocates.**

**For Respondents: Mr. Manmeet Singh, Mr. A. Robin Frey and Ms. Anjali Anchayil, Advocates for R-1.  
Mr. Sumant Batra and Mr. Srishti Kapoor, Advocates for Edelweiss.**

**ORDER**

**01.02.2018:** Hearing of Mr. Tushar Mehta, learned senior counsel appearing on behalf of the appellant in connected cases CA (AT) (Ins.) no.304 of 2017 and CA (AT) (Ins.) no. 313 of 2017 has been concluded.

It is informed that Mr. Gopal Mukherjee is representing the COC. Though CoC is not a necessary party but for deciding the question of law we give opportunity to Mr. Gopal Mukherjee to assist the court on the question of law.

Post the cases for further hearing on **6<sup>th</sup> February, 2018** as first part heard matter for hearing.

In the meantime, the Adjudicating Authority (NCLT) Allahabad Bench will not give effect to the Resolution Plan, which was passed during the pendency of the case, without prior permission of this Appellate Tribunal. If any application has been preferred by Resolution Applicant in respect to JEKPL Pvt. Ltd before any authority, no order be passed on the same.

[Justice S.J. Mukhopadhaya]  
Chairperson

[Justice Bansi Lal Bhat]  
Member (Judicial)

*am/uk*