

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

**Restoration Application No.01 of 2018 in
Company Appeal (AT) (Insolvency) No. 134 of 2017**

IN THE MATTER OF:

Hotel Gaudavan Pvt. Ltd. & Ors.

...Appellants

Vs

Alchemist Asset Reconstruction Co. Ltd. & Anr.

....Respondents

With

**Restoration Application No.04 of 2018 in
Company Appeal (AT) (Insolvency) No. 163 of 2017**

IN THE MATTER OF:

Harendra Singh Rathore

...Appellant

Vs

Arunava Sikdar & Anr.

....Respondents

**Restoration Application No.05 of 2018 in
Company Appeal (AT) (Insolvency) No. 166 of 2017**

IN THE MATTER OF:

Hotel Gaudavan Pvt. Ltd.

...Appellant

Vs

Alchemist Asset Reconstruction Co. Ltd. & Anr.

....Respondents

Present:

**For Appellant: Mr. Sameer Kumar, Mr. Siddharth Chaudhary,
and Mr. Vikram Singh, Advocates.**

**For Respondent: Mr. Amit S. Chadha, Senior Advocate assisted by
Mr. Abhirup Dasgupta, Ms. Swati Sharma, Ms.
Manmayi Sharma and Ms. Srishti Govil,
Advocates for AARC.
Mr. Ashu Kansal, Advocate for RP.**

ORDER

09.02.2018: After some argument, in view of the fact that the main appeal was dismissed by reasoned judgement dated 30th November, 2017, and as the question of restoration does not arise, learned counsel for the applicant prays for withdrawal of all the applications for restoration to enable the applicant to move before the appropriate forum for appropriate relief.

Having heard the counsel for the applicant and the counsel appearing on behalf of the respondent, we allow the prayer of the applicant in which we do not make any observation about the maintainability of any application before other forum and allow the prayer of withdrawal of all the restoration applications without any liberty to the applicant. The restoration applications are dismissed as withdrawn.

(Justice S. J. Mukhopadhaya)
Chairperson

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

(Balvinder Singh)
Member (Technical)