

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 348 of 2018

IN THE MATTER OF:

Central Bank of India **...Appellant**

Vs.

Anuj Jain, R.P. **...Respondent**

Present: For Appellant: - Mr. Jaswinder Singh, Advocate
Mr. S. Singh, Law Officer of Bank

For Respondent:- Ms. Honey Satpal, Advocate

Company Appeal (AT) (Insolvency) No. 349 of 2018

IN THE MATTER OF:

Standard Chartered Bank **...Appellant**

Vs.

Anuj Jain, R.P. **...Respondent**

Present: For Appellant: - Mr. Arun Kathpalia, Senior Advocate
assisted by Mr. Parag Maini, Mr. Abhimanyu
Chopra and Ms. Bani Brar, Advocates

For Respondent:- Ms. Honey Satpal, Advocate

O R D E R

09.07.2018— Both the appellants claim to be 'Financial Creditor(s)'. 'Corporate Debtor' having mortgaged their properties. According to them, the 'Corporate Debtor' being the guarantor, executed a mortgage deed and they also come within the meaning of 'Financial Creditor' under Section 5(7) read with Section 5(8) of the Insolvency and Bankruptcy Code, 2016.

Heard Mr. Jaswinder Singh, learned counsel appearing on behalf of the appellant – Central Bank of India and Ms. Honey Satpal, advocate appearing on behalf of the respondent on the question of delay and taking into consideration the facts and circumstances of the case and having been satisfied with the grounds shown in the application, we condone the delay of twelve days in preferring the appeal. Accordingly, *I.A. No. 933 of 2018* in Company Appeal (AT)(Ins.) No. 348 of 2018 is disposed of.

Ms. Honey Singh Satpal, Advocate has appeared and accepted notice on behalf of the ‘Resolution Professional - Mr. Anuj Jain’. No further notice need be issued on him. Learned counsel for the appellant(s) may serve a copy of the paper-book on the respondent, if not yet served. They will address the Court on the question of law.

As against the same very ‘corporate insolvency resolution process’ two appeals are likely to be listed being *Company Appeal (AT) (Insolvency) Nos. 243 & 244 of 2018* and *Company Appeal (AT) (Insolvency) No. 301 of 2018*, these appeals be also listed on 13th July, 2018.

(Justice S.J. Mukhopadhaya)
Chairperson

(Justice Bansi Lal Bhat)
Member(Judicial)

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