

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 360 of 2018

IN THE MATTER OF:

Nicco Corporation Ltd.

...Appellant

Vs.

Technology Development Board

...Respondent

Present: For Appellant: -Mr. Dheeraj Kumar Sharma, PCS, Mr. Bunny Sehgal, PCS

For Respondent:- Mr. B.B. Sawhney, Sr. Advocate, Mr. Lakshay Sawhney, Advocate, Mr. Akshay Lal, A.R. and Mr. Vaibhav Mishra, Advocate

ORDER

12.07.2018— It is not clear whether the Adjudicating Authority has taken any decision regarding one or other creditor to hold them a Financial Creditor in the liquidation proceeding under Insolvency and Bankruptcy Code, 2016 (hereinafter referred to as 'I & B Code', 2016). The question arises as to how the liquidator of a company under liquidation can claim to be aggrieved person to maintain an appeal under Section 61 of the 'I & B Code' 2016, if one or other creditor is held to be financial creditor.

Post the matter 'for orders' on 18th July 2018.

(Justice S.J. Mukhopadhyaya)
Chairperson

(Justice Bansi Lal Bhat)
Member(Judicial)

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