

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 375 of 2018
IN THE MATTER OF:

Joginder Singh Lather

...Appellant

Vs.

AU Small Finance Bank Ltd.

...Respondent

Present: For Appellant: - Mr. Abhinav Vasisht, Sr. Advocate, Mr. Sumesh Dhawan, Ms. Tannya Baranwal and Ms. Priya Singh Chauhan, Advocates

For Respondents:-Mr. H.L.Tiku, Sr. Advocate, Mr. Dilip Pandita and Mr. Sameep Vijay, Advocates

ORDER

17.07.2018— *Prima facie* we are of the view that the Corporate Debtor, being mortgager, the respondent comes within the definition of “Financial Creditor” and has a right to trigger corporate insolvency resolution process under Section 7 of the Insolvency and Bankruptcy Code, 2016 (‘I & B Code’ 2016 for short)

Learned counsel for the appellant submitted that before arguing the case on merit, the appellant be allowed to take steps to settle the claim with the respondent. On his prayer, the case is adjourned.

Post the matter on 25th July 2018 for admission as a fresh case.

(Justice S.J. Mukhopadhyaya)
Chairperson

(Justice Bansi Lal Bhat)
Member(Judicial)

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