

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 211 of 2018

IN THE MATTER OF:

Madhya Gujarat Vij Company Ltd.

...Appellant

Vs

Kalptaru Alloys Pvt. Ltd. & Ors.

....Respondents

Present:

For Appellant: Mr. Pradeep Mishra, Advocate.

**For Respondents: Mr. Abhishek Anand, Advocate for R-1.
Ms. Monisha Handa and Mr. Mohit D. Ram,
Advocate for R-2.
Mr. R. P. Agrawal, Advocate for R-3.**

O R D E R

25.07.2018: The Appellant, an electricity supplying company, which was Operational Creditor during the Resolution Process has two fold grievances, viz.:

- (i) The Appellant has not been provided with full amount for supply of electricity as was due to the Appellant, prior to admission of application. The Resolution Plan also do not take care of the same.
- (ii) Appellant has been directed to provide a new connection after the Resolution Plan has approved, which according to him cannot be given.

Issue notice. Mr. Abhishek Anand, Advocate accepts notice on behalf of the 1st Respondent, Mr. Mohit D. Ram, Advocate accepts notice on behalf of the 2nd Respondent and Mr. R. P. Agrawal, Advocate accepts notice on behalf of the 3rd Respondent. No further notice needs to be issued. Counsel for the Appellant will serve a copy of paper book on each of the counsel for Respondents. Respondents may file their respective reply within 10 days alongwith vakalatnama, if not already filed.

The Appellant is allowed a week time to file additional affidavit and to state as to -

- (i) In whose name the earlier connection was given prior to initiation of Corporate Insolvency Resolution Process?
- (ii) Whether they have supplied any electricity during the period of moratorium? and
- (iii) Whether subject to the appeal they have given connection in favour of the company, then in whose name?

Post the case 'for admission' on **9th August, 2018**.

[Justice S. J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

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