

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 76 of 2018

IN THE MATTER OF:

Vinay Prabhakar Phadnis

...Appellant

Vs

Pradeep Mahajan & Ors.

....Respondents

With

Company Appeal (AT) (Insolvency) No. 77 of 2018

IN THE MATTER OF:

Vinay Prabhakar Phadnis

...Appellant

Vs

Pramod Kapse & Ors.

....Respondents

Present:

For Appellant: Mr. Aman Vachher, Mr. Ashutosh Dubey and Mr. Sujit Lahoti, Advocates.

For Respondents:

ORDER

07.03.2018: The ground taken up by the Appellant is that the demand notice under Sub-section (1) of Section 8 was sent on the address of Corporate Debtor which was sealed by the Enforcement Directorate. It is also pleaded that the application under Section 9 was admitted, when the Directors of the Corporate Debtor were in custody. It is submitted that the Appellant and other Director will ensure payment of salary to the employees and thereby, to settle the claim.

Let notice be issued on respondents by speed post. Requisites along with process fee, if not filed, be filed by tomorrow. If the appellant provides e-mail address of the respondents, let notice be issued also through e-mail.

It will be open to the Appellant to file additional affidavit within 10 days showing intent to settle the dispute and pay the dues of the workmen. Post both the appeals on **2nd April, 2018**.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

am/uk