

IN THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insol.) Nos. 30, 37 and 54 of 2017

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| 1. Palogix Infrastructure Pvt. Ltd. | Appellant |
| Vs. | |
| ICICI Bank Ltd. | Respondent |
| | |
| 2. ICICI Bank Ltd. | Appellant |
| Vs. | |
| Palogix Infrastructure Pvt. Ltd. | Respondent |
| | |
| 3. Palogix Infrastructure Pvt. Ltd. | Appellant |
| Vs. | |
| ICICI Bank Ltd. | Respondent |

Present: **Mr. Ramji Srinivasan, Sr. Advocate with Mr. Anand Shankar Jha, Advocate for Appellant in Company Appeal (AT) (Ins.) No. 37 and Advocates for respondents in Company Appeal (AT) (Ins.) Nos. 30 and 54 of 2017**

Mr. Arun Kathpalia, Sr. Advocate for Appellant in Company Appeal (AT) (Ins.) Nos. 30 and 54 and Advocates for respondents in Company Appeal (AT) (Ins.) No. 37 of 2017

O R D E R

24.05.2017- The question arises for determination in these appeals are:

- (i) Whether an application under Section 7 is maintainable, if signed and filed by a Power of Attorney holder?

- (ii) Whether a Power of Attorney holder who was given power of attorney issued prior to enactment of Insolvency and Bankruptcy Code, 2016 is entitled to file an application under Section 7 or 9 or 10 of the Code and,
- (iii) Whether the period of exigency i.e. Saturdays, Sundays, Summer vacations, etc. are to be counted for counting the mandatory period of 7 days if granted to complete the application?

Admit. Respondents have appeared. No notice need be issued to them.

Post the matter for hearing on 30th May 2017 for final disposal.

In the meantime, if any action taken by the Interim Insolvency Resolution Professional or any order is passed by adjudicating authority the same shall be subject to the decision of these appeals.

(Justice S.J. Mukhopadhaya)
Chairperson

(Mr. Balvinder Singh)
Member(Technical)

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