

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

I.A. Nos. 596 of 2018

IN

Company Appeal (AT) (Insolvency) No. 167 of 2018

IN THE MATTER OF:

AKME Projects Ltd.

...Appellant

Versus

Hari Kishan Sharma

...Respondent

Present:

For Appellant : **Mr. Arjun Syal and Mr. Shreyan Das, Advocates**

For Respondent: **Mr. Achal Gupta, Advocate**

Mr. Amit Prasad and Mr. Apoorv Gupta, Advocates

**Mr. Ashwini Mata, Senior Advocate assisted by
Mr. Yugank Goel, Advocates for Phoenix ARC Pvt.
Ltd.**

O R D E R

15.05.2018 In view of the decision of the Hon'ble Supreme Court in "*Innoventive Industries Ltd. Vs. ICICI Bank and Ors.* (Civil Appeal Nos.8337 – 8338 of 2017), an application has been filed by the counsel for the appellant for substitution of Mr. Anil Nanda, Director / Shareholder of the 'Corporate Debtor' (M/s. AKME Projects Ltd.) as appellant in place of the original 'Corporate Debtor' and transpose 'M/s. AKME Projects Ltd.' through 'Resolution Professional' as 2nd Respondent to the appeal. Taking into consideration that the shareholder was not a party to the petition filed under Section 9 and the Corporate Debtor cannot file any appeal against the

impugned order, we allow the application and order to substitute 'Mr. Anil Nanda' as 'Appellant' in place of original appellant and to Transpose 'M/s. AKME Projects Ltd.', through 'Resolution Professional' as 2nd respondent. Learned counsel for the respondent will make necessary correction in the cause-title of the paper-book.

I.A. No. 596 of 2018 stands disposed of.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

/ns/gc