

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

**I.A. No. 606 of 2018 in
Company Appeal (AT) (Insolvency) No. 170 of 2018**

IN THE MATTER OF:

Edelweiss Finvest Pvt. Ltd.

...Appellant

Vs

Ramswarup Industries Ltd.

....Respondent

Present:

**For Appellant: Mr. S. Chakraborty and Ms. Sonia Dube,
Advocates.**

**For Respondent: Ms. Pooja Mahajan, Mr. Savar Mahajan, Advocates
for Respondent.**

**Mr. Vikram Wadehra and Ms. Vidushi Chokani,
Advocates for ARCIL.**

O R D E R

17.05.2018: An Intervention Application has been filed by Asset Reconstruction Company (India) Limited (ARCIL), the Financial Creditor. Taking into consideration the nature of the case we allow to implead the Intervener as party Respondent No. 2. I. A. No. 606 of 2018 stands disposed of.

The 1st Respondent through Resolution Professional has appeared, she is allowed to file an affidavit after going through the records of the Corporate Debtor as to whether any winding up proceeding has been ordered by the Hon'ble High Court in C.P. No. 461 of 2009 of which reference has been made and copy is attached in the appeal at page 283 and 295. The 2nd Respondent may also file an affidavit on the question whether advertisement pursuant to the winding up application has been issued, thereby the winding up application stands admitted. The affidavit may be filed by the Respondents within one week. Rejoinder may be filed by the Appellant within 3 days thereof.

Post the case on **30th May, 2018** for final disposal.

[Justice S. J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

am/gc