

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 139 of 2018

IN THE MATTER OF:

Vishal Vijay Kalantri

...Appellant

Vs

DBM Geotechnics & Constructions Pvt. Ltd. & Anr.

....Respondents

Present:

For Appellant: Mr. A. K. Ganguli, Sr. Advocate with Mr. Anil Kaushik, Mr. Vishnu Sharma, Mr. Akhil Sarathy and Mr. Abhishek Mishra, Advocates.

For Respondents: Mr. Amit Sibal, Sr. Advocate with Ms. Vanita Bhargawa, Mr. Aseem Chaturvedi, Ms. Wamika Trehan and Mr. Zakarius Joseph, Advocates for R-1.

Mr. Kunal Vajani, Mr. Paras Anand and Ms. Harsha Satyakam, Advocates for Resolution Professional.

Ms. Nina R. Nariman and Ms. Geetika Kapur, Advocates for Intervener.

ORDER

23.05.2018: Before deciding the issue as to whether an arbitration proceeding stands commenced on issuance of notice under Section 21 of the Arbitration and Conciliation Act, 1996, we are of the view that this is the case in the parties in the meantime may settle the claim.

One opportunity is given to the Appellant and the Respondent/Operational Creditor to settle the claim. On failure, this Appellate Tribunal will decide the issue.

In the meantime, in terms of our earlier order dated 03.05.2018, the Intervener may file Intervention Application within a week.

Post the case 'for admission' on **12th July, 2018**.

[Justice S. J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

am/gc