

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Company Appeal (AT) (Insolvency) No. 289 of 2017**

**IN THE MATTER OF:**

**Srei Equipment Finance Ltd.**

**...Appellant**

**Vs.**

**Sree Metaliks Ltd.**

**...Respondent**

**Present: For Appellant: - Mr. S.N.Mukherjee, and Mr. Ratnanko Banerji, Senior Advocates with Mr. Diwakar Maheshwari, Mr. Shounak, Ms. Pratishtha Vij, Mr. Abhijeet Sinha and Mr. Arijit Majumdar, Advocates.**

**For Respondent:- None.**

**O R D E R**

**28.11.2017-** Learned counsel for the Appellant submits that the Resolution Plan has been submitted by the promoter of the 'Corporate Debtor' which has been accepted by learned Adjudicating Authority (National Company Law Tribunal) by impugned order dated 7<sup>th</sup> November, 2017, in spite of objection raised by the Appellant- 'Financial Creditor'.

2. On oral prayer made on behalf of learned senior counsel for the Appellant, the 'Resolution Applicant' is allowed to be impleaded as 2<sup>nd</sup> Respondent. Necessary correction be made in the cause title of the appeal by 29<sup>th</sup> November, 2017.

3. Let notice be issued on Respondent by speed post. Requisite along

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with process fee, if not filed, be filed by 29<sup>th</sup> November, 2017. If the Appellant provides the e-mail address of Respondent, let notice be also issued through e-mail.

4. Dasti service is also permitted along with the copy of this order.
5. Post the matter on 15<sup>th</sup> December, 2017.
6. In the meantime, the Respondent will not execute the impugned order dated 7<sup>th</sup> November, 2017 passed by Adjudicating Authority, Kolkata Bench, Kolkata in C.P (IB) No. 16/KB/2017.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Justice Bansi Lal Bhat)  
Member(Judicial)

Ar/uk