

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeals (AT) (Insolvency) Nos. 141 & 146 of 2017

IN THE MATTER OF:

Muskaan Power Infrastructure Ltd.

...Appellant

Vs.

Sunrise 14 A/S, Denmark

...Respondent

**Present: For Appellant:- Mr. Manoj Swarup, Mr. Soheb Rahman
and Mr. Aditya Singh, Advocates.**

**For Respondent:- Mr. Virendra Ganda, Senior
Advocate with Mr. Manish Jha and Mr. Yohaann
Limathwalla, Advocates.**

O R D E R

03.10.2017- An application for impleadment has been filed by one Mr. Ravi Mahajan, son of Late Shri Prem Nath for his impleadment as Appellant No. 2 in view of the recent decision of the Hon'ble Supreme Court in ***"Innoventive Industries Ltd. Vs. ICICI Bank and Ors, (Civil Appeal Nos. 8337-8338 of 2017)"*** disposed on 31st August, 2017.

Learned Counsel appearing on behalf of the contesting respondent submits that the appellant M/s. Muskaan Power Infrastructure Limited have no locus to file the appeal. At best Mr. Ravi Mahajan, one of the shareholder of the company, can be substituted as the appellant.

In the facts and circumstances, we allow the application as an application for substitution of the appellant. Let the name of Mr. Ravi Mahajan be substituted as appellant in place of M/s. Muskaan Power Infrastructure Limited. Learned counsel for the appellant will make

necessary corrections in the cause title of the appeal and rest of the paper book.

I.A No. 589 of 2017 stands disposed of.

Heard in part. Post the matters for further hearing on 16th October, 2017 as first part heard case.

In the meantime, the respondent may file the enclosures which were attached to the Form No.1 (Application under section 7 of the Insolvency and Bankruptcy Code, 2016).

(Justice S.J. Mukhopadhaya)
Chairperson

(Justice A.I.S. Cheema)
Member (Judicial)

(Balvinder Singh)
Member(Technical)

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