

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 177 of 2017

IN THE MATTER OF:

Devendra Padamchand Jain

...Appellant

Versus

State Bank of India & Ors.

...Respondents

Present:

For Appellant :

Mr. Amit S. Chadha, Senior Advocate assisted by
Shri Sahil Mullick, Ms. Srishti Govil and Shri
Sahil Mongia, Advocates

O R D E R

08.09.2017 One of the question arises for consideration is as to whether the Adjudicating Authority is bound by the provisions of Section 34(1) and (4) of the Insolvency and Bankruptcy Code, 2016 for appointment of Official Liquidator at the stage of liquidation and has jurisdiction to replace the Insolvency Resolution Professional on the ground of his incompetency in not assisting the Adjudicating Authority.

Let notice be issued on the respondents. Learned counsel appearing on behalf of 9th Respondent accepts notice. He may file his Vakalatnama. No further notice need be issued on it. Let notice be issued on rest of the respondents by Speed Post. Requisite along with process fee, if not filed, be filed by 11th September, 2017. If the appellant provides the e-mail address of respondents, let notice be also issued through e-mail.

Post the matter on 6th October, 2017.

[Justice S.J. Mukhopadhaya]
Chairperson

[Balvinder Singh]
Member (Technical)

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