

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) 309 of 2017

IN THE MATTER OF

Thomas Cook (India) Limited ... Appellant

Vs.

**Reliance Communications Limited
& Ors. ... Respondents**

Present: For Appellant:- Mr. P. Srinivasan, Advocate.

ORDER

20.09.2017 — Admittedly the Appellant is not eligible to raise any objection in the meeting in terms of sub-section (1) of Section 230 of the Companies Act, 2013 having less than 5 per cent due as 'creditor'. The question arises for determination is whether such ineligible person/'creditor' have *locus* to move before the National Company Law Tribunal (hereinafter referred to as Tribunal) or the Appellate Tribunal to raise any objection as an objector.

Ld. Counsel for the Appellant is allowed time to address the Appellate Tribunal on the issue aforesaid. Pendency of this appeal will not come in the way of Respondents or the Tribunal to proceed in accordance with the law. Post the matter on 3rd October, 2017.

(Justice S.J. Mukhopadhaya)
Chairperson

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

(Balvinder Singh)
Member (Technical)