
(2025) 02 NCLAT CK 0938

In the National Company Law Appellate Tribunal

Case No : Company Appeal (AT) (Insolvency) No.221 of 2025

Midpoint Commodea Pvt. Ltd.

APPELLANT

Vs

Neha Chhawchharia

RESPONDENT

Date of Decision : 04-02-2025

Acts Referred:

Citation : (2025) 02 NCLAT CK 0938

Hon'ble Judges : Ashok Bhushan, Chairperson; Barun Mitra, Member (T); Arun Baroka, Member (T)

Bench : Full Bench

Advocate : Rishav Banerjee, Madhusmita Senapati, Sohini Dey

Final Decision : Allowed

Judgement

04.02.2025: This appeal has been filed against order dated 10.01.2025 passed by National Company Law Tribunal, Ahmedabad, Division Bench, Court-1 by which order the matter has been relisted on 11.02.2025.

2. Shri Rishabh Banerjee, learned counsel for the Appellant submits that by order of this Tribunal dated 25.09.2024 in Company Appeal (AT) (Ins.) No.1839 of 2024, this Tribunal has set aside the order of the Adjudicating Authority and issued directions for passing consequential orders, consequent to the approval of the plan, within a period of one month. In Paras 14 and 15 of the order following was directed:

"14. In result, we allow the appeal, set aside the impugned order passed by Adjudicating Authority. Allow the IA/844 (AHM) 2023 and approve the resolution plan.

15. Adjudicating Authority may pass consequential orders, consequent to the approval of the plan within a period of one month from the date. Copy of the order is produced before the Adjudicating Authority."

3. Learned counsel for the Appellant submits that the said order has already

been brought on the record before the Adjudicating Authority. He has referred to order sheet dated 29.11.2024 where the Adjudicating Authority revived the IA 844 of 2023. It is submitted that on the next date application could not be taken up due to paucity of time and now the matter is listed on 11.02.2025. The matter related to approval of Resolution Plan, we expect that the Adjudicating Authority may pass appropriate order on the next date i.e. 11.02.2025. Appeal is disposed of requesting the Adjudicating Authority to pass the order on the next date. Let a copy of this order be placed before the Adjudicating Authority at the time of hearing. Appeal disposed of accordingly.