

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 836 of 2020

IN THE MATTER OF:

Mordhwaj Singh & Ors.

...Appellants

Versus

**Nilesh Sharma, Resolution Professional of
M/s Today Homes & Infrastructure Pvt. Ltd. & Ors.**

...Respondents

Present:

For Appellants: Mr. Rajesh Gautam, Advocate.

**For Respondents: Mr. P. Nagesh and Mr. Milan Singh Negi, Advocates
with Mr. Nilesh Sharma, RP
Mr. Sumesh Dhawan, Advocate.**

O R D E R
(Through Virtual Mode)

28.09.2020: Heard Mr. Rajesh Gautam, Advocate representing the Appellant. In view of the fact that in I.A. No. 3356/2020, the Adjudicating Authority (National Company Law Tribunal), New Delhi, Court II, in terms of the impugned dated 24th August, 2020, has only issued notice to Respondents and also passed an ad-interim direction providing protection and assistance to the Resolution Professional and the objection raised by Shri P. Nagesh, Advocate representing Respondent No. 1 that the Appellant has already approached the Adjudicating Authority for vacation of the interim direction, we are of opinion that the instant appeal would not be maintainable.

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Learned counsel for the Appellant, on being confronted with this situation offers to withdraw the appeal but prays that the Adjudicating Authority may be directed to expedite disposal of the application. We accordingly allow withdrawal of this appeal. Having regard to the facts and circumstances of the case, we direct the Adjudicating Authority to dispose of the application with utmost expedition, preferably within two weeks.

Copy of this order be sent to the Adjudicating Authority (National Company Law Tribunal), New Delhi, Court II for information.

**[Justice Bansi Lal Bhat]
Acting Chairperson**

**[Justice Jarat Kumar Jain]
Member (Judicial)**

am/gc