

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 02 of 2020

IN THE MATTER OF:

Volkswages Finance Pvt. Ltd.

...Appellant

Vs

Shree Bala Printopack Pvt. Ltd. & Ors.

....Respondents

Present:

**For Appellant: Mr. Sanjeev Sagar and Ms. Nazia Parveen,
 Advocates.**

For Respondents:

ORDER

06.01.2020: Having heard learned counsel for the Appellant and being satisfied of the grounds, delay of 1 day in preferring the appeal is condoned. I. A. No. 04 of 2020 stands disposed of.

The question arises for consideration as to whether registration under Motor Vehicles Act prior to Section 77(3) of the Companies Act, 2013 should be taken into consideration to find out whether the Appellant comes within the meaning of 'Secured Creditor' as defined under Section 3 (30) and (31) of the I&B Code.

Let notice be issued on Respondents by Speed Post. Requisites alongwith process fee be filed by tomorrow. If the Appellant provides email address of the Respondents, let notice be also issued through email.

Post the case 'for orders' on **20th January, 2020** alongwith Company Appeal (AT) (Insolvency) No. 1482 of 2019 where a question relating to Section 77(3) of the Companies Act, 2013 has been raised.

Until further order, the Liquidator will not sell the vehicles in question without prior permission of this Appellate Tribunal.

[Justice S. J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

am/sk