



to run the 'Corporate Debtor' as a 'going concern' as per the proposed Terms of Acquisition submitted by the applicant;

b) Direct the Liquidator to accept the EMD of the Applicant given by way of Foreign Bank's Bank Guarantee and approve the scheme submitted with the liquidator vide e-mail dated 18.12.2021 (Annexure A-2) and permit the applicant to acquire and to run the 'Corporate Debtor' as a 'Going Concern' as per the proposed Terms of Acquisition.”

4. We have heard the Learned Counsel for the parties and have perused the record. In view of the facts and circumstances of the present case, we are not inclined to entertain the Application i.e I.A. No. 346 of 2022 and the same is dismissed.

**[Justice Anant Bijay Singh]**  
**Member (Judicial)**

**[Ms. Shreesha Merla]**  
**Member (Technical)**

*R.N./Kam./*

I.A. No. 346 & 347 of 2022

IN

Company Appeal (AT) (Ins.) No. 243 of 2021