

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Company Appeal (AT) (Insolvency) No. 959 & 960 of 2022

IN THE MATTER OF:

State Bank of India

...Appellant

Versus

Essar Power Gujarat Ltd.

...Respondent

Present:

For Appellant: Mr. Gopal Jain, Sr. Advocate with Mr. Sanjay Kapur, Ms. Meghna Karnwal and Mr. Arjun Bhatia, Advocates.

For Respondent: Mr. Arun Kathpalia and Mr. Krishnendu Datta, Sr. Advocates with Mr. Mahesh Agarwal, Mr. Rahel Patel, Mr. Himanshu Satija and Ms. Geetika Sharma, Advocates.

O R D E R

12.08.2022: Heard learned counsel for the parties. This Appeal has been filed challenging the orders dated 27.07.2022 and 01.08.2022. By order dated 27.07.2022, the Adjudicating Authority had fixed the matter for 01.08.2022 and on 01.08.2022, the matter was preponed to 22.08.2022. The last line of the order dated 01.08.2022 is:

“The next date of hearing in main IB application is preponed to 22.08.2022.”

2. We are of the view that there is nothing in these Appeals to be adjudicated by this Appellate Tribunal as the matter has already been preponed to 22.08.2022 and the parties are free to make their submissions before the Adjudicating Authority. At this stage, it is not necessary for us to

Cont'd../

make any observation or express any opinion. The Adjudicating Authority having already fixed 22.08.2022 in the main IB application, we see no further reason to entertain the matter. The Adjudicating Authority, on the date fixed, may consider and take appropriate decision as per its earlier order itself. The Appeals are disposed of accordingly.

[Justice Ashok Bhushan]
Chairperson

[Justice Rakesh Kumar]
Member (Judicial)

[Ashok Kumar Mishra]
Member (Technical)

Archana/nn