

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI

Company Appeal (AT) (Ins.) No. 2045 of 2024

IN THE MATTER OF:

Vyanka Tesh Kulkarni,

Suspended Director of Manas Vyapar Pvt. Ltd.

...Appellant

Versus

Kataria Infrastructure Corporation & Anr.

...Respondents

Present:

For Appellant:

Mr. Deepak Biswas, Advocate

For Respondents:

Aakash Lodha, Advocate

Mr. G. Anirudh Purushottam, Advocate for R-1

ORDER
(HYBRID MODE)

20.12.2024: This appeal is against an impugned order dated 29.10.2024. Learned Counsel for Appellant submits the petition u/s 9 of IBC was admitted against Appellant herein vide impugned order and the CIRP was initiated. It is submitted in the petition u/s 9, only claim made by OC *viz.* the Respondent was Rs. 1 crore and the Appellant is inclined to make payment of Rs. 1 crore without prejudicial to its right. It is submitted the Appellant had today brought Demand Draft of Rs. 1 crore. However, it is submitted by ld. Counsel for Respondent let them put up a proposal before CoC and then move an application u/s 12A of the Code and should also be ready to make payment of CIRP cost as directed by impugned order.

2. Learned Counsel for Appellant would seek instructions on this issue. In any case ld. Counsel for Appellant is inclined to deposit money with CoC and then to file an application u/s 12A. Seeks time. Let him do the needful within three weeks from today. In the meanwhile, impugned order shall be kept in abeyance till the next date of hearing in view of the submissions made by ld. Counsel for Appellant. Learned Counsel for Appellant has already e-

filed an additional affidavit. Let hard copy be filed and it be placed on record with a copy to the Respondent List this matter on **06.02.2025**.

[Justice Yogesh Khanna]
Member (Judicial)

[Mr. Arun Baroka]
Member (Technical)

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