

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

Company Appeal (AT) (Ins) No. 704 of 2022

IN THE MATTER OF:

**Amrapali LA- Residentia Flat Buyers
Welfare Association (ALRFBWA)**

...Appellant

Versus

**LA Residentia Developers Pvt. Ltd.
(Under CIRP) & Anr.
Present:**

...Respondents

For Appellant: Mr. Abhishek Naik, Advocate.

**For Respondents: Mr. CS Gupta (Intervenor) (Suspended Director)
Mr. Janender Kumar Chumbak (For Financial
Creditors i.e. Religare Finvest Ltd. And Religare
Housing Development Finance Corporation Ltd.)**

**O R D E R
(Virtual Mode)**

27.06.2022: The Learned Counsel for the Appellant Mr. Abhishek Naik is required to file an Interlocutory Application seeking permission from this Tribunal as a 'Condition Precedent' to prefer this instant CA (AT) (Ins) No. 704 of 2022 before this Appellate Tribunal and it requires to file the same (on both modes) before the Office of the Registry and to serve a copy to the other side on or before 04.07.2022.

It is represented on behalf of the Appellant and on behalf of the Suspended Director of the Corporate Debtor that the matter was settled on 04.06.2022 and on 08.06.2022 form FA under the I & B Code and regulations was given to the 'Interim Resolution Professional' and it is the plea of the Appellant that 'Interim Resolution Professional' has not taken the form FA forward in moving before the 'Adjudicating Authority' in a diligent manner.

It is further represented on behalf of both sides (including the Financial Creditor) that I.A. No. 2853 of 2022 filed by the Suspended Director of the Board of the Corporate Debtor is slated 'For Hearing' before the Adjudicating

Authority on 05.07.2022 and also it is brought to the fore before this tribunal that I.A. No. 2912 & 2913 of 2022 filed under (Rule 11 of the NCLT Rules) by the Financial Creditor is also slated for hearing on 05.07.2022.

Till the next date of hearing, the implementation of the impugned order passed by the 'Adjudicating Authority' (National Company Law Tribunal, New Delhi Bench –II) in CP (IB) No. 188/ND/2020 shall remain stayed.

Before the next date of hearing, it is open to the Learned. Contesting Advocates/Parties to file the Reply/Response/Counter before the Office of the Registry (on both modes) and to serve a copy to the other side. To facilitate the filing of Reply/Response/Counter by the Contesting Respondent/Parties, the Learned. Counsel of the Appellant is required to serve the 'Appeal Paper Book(s)/Material Papers' to the Ld. Counsel appearing for the Concerned Respondents through the email address, to be furnished by the Ld. Counsels within two days from today without fail.

It is open to the Learned. Counsel for the Appellant to file the 'Amended Memo of Parties' in advance before the Office of the Registry on both modes.

The Registry is directed to list the said IA along with CA (AT) (Ins) No. 704 of 2022 on **5th July, 2022**.

[Justice M. Venugopal]
Member (Judicial)

[Ms. Shreesha Merla]
Member (Technical)

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