

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

Company Appeal (AT) (Insolvency) No.1492 of 2022

IN THE MATTER OF:

Ami Ashutosh Majumdar

...Appellant

Versus

Omkara Assets Reconstruction Pvt. Ltd. & Anr.

...Respondents

Present:

For Appellant: Mr. Abhijeet Sinha, Mr. Mahesh Agrawal, Mr. Shivam Shukla, Ms. Geetika Sharma and Mr. Shadab S. Jan, Advocates.

For Respondents: Mr. Adarsh Ramanujan, Mr. Lzafeer Ahmad BF, Mr. Skanda Shekhar, Advocates for R-1.

O R D E R

12.12.2022: Learned counsel for the Appellant submits that the Adjudicating Authority has proceeded ex-parte on 15.11.2022 and reserved the orders and on 06.12.2022, the Section 7 application has been admitted. It is submitted that the Appellant could not appear or file reply. It is further submitted that interim moratorium was declared under Section 95 application on 14.10.2022 and thereafter application under Section 7 ought not to have been admitted.

Issue notice. Learned counsel for Respondent No.1 appears and accepts notice. Let a copy of the Appeal Paper Book be provided to Respondent No.1. Issue notice to Respondent No.2 only. Requisites alongwith process fee be filed within three days.

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Respondent may file Reply within two weeks. Rejoinder be filed within two weeks' thereafter.

List this Appeal on **23.01.2023**.

In the meantime, no further steps shall be taken in pursuance of the order dated 06.12.2022.

[Justice Ashok Bhushan]
Chairperson

[Barun Mitra]
Member (Technical)

Archana/nn