

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

Company Appeal (AT) (Insolvency) No. 710 of 2022

IN THE MATTER OF:

Hari Vitthal Mission

...Appellant

Versus

**Ravi Sethia,
Resolution Professional of
Suasth Healthcare Foundation**

...Respondent

Present:

**For Appellant: Mr. K. Datta, Sr. Advocate with Mr. Eshna Kumar,
Advocate.**

**For Respondent: Mr. Ramji Srinivasan, Sr. Advocate with Mr. Rony
John, Mr. Rajshree Chaudhary, Mr. Piyush Swami,
Mr. Deep Roy and Mr. Dhaval Savla, Advocates for
RP.**

**Mr. Abhinav Vasisht, Sr. Advocate with Mr. Raunak
Dhillon and Ms. Ananya Dhar Choudhury,
Advocates.**

ORDER
(Virtual Mode)

04.07.2022: Heard Shri Krishnendu Datta, learned counsel for the Appellant. Shri Ramji Srinivasan, learned senior counsel is appearing for the Resolution Professional. Shri Abhinav Vashisth, learned senior counsel is appearing for Axis Bank and Yes Bank, the Financial Creditors who were also directed to be impleaded by the Adjudicating Authority.

This Appeal has been filed against order dated 25.05.2022 passed by the Adjudicating Authority (National Company Law Tribunal), Kolkata Bench, Kolkata in IA(IBC)390(KB)2022 in CP (IB) – 204/KB/2021. The said application was filed by the Appellant praying that the Appellant be included

in the CoC, he being not a related party whereas the Resolution Professional ousted the Appellant holding that he is a related party. The Adjudicating Authority by the impugned order has fixed the application for 22.06.2022 and also observed that the final outcome of the CIRP shall be subject to outcome of this I.A. 390/2022.

Learned counsel for the Appellant himself has submitted that 15.07.2022 is the next date fixed for peremptorily hearing on the application.

The Application having already been fixed for hearing, we seen no reason to entertain this Appeal. We only request the Adjudicating Authority to hear and decide the application as early as possible. With these observations this Appeal is disposed of.

**[Justice Ashok Bhushan]
Chairperson**

**[Justice M. Satyanarayan Murthy]
Member (Judicial)**

**[Barun Mitra]
Member (Technical)**

Archana/nn