

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

**Company Appeal (AT) (Insolvency) No.880 & 881 of 2023**

**IN THE MATTER OF:**

**Shreya Life Sciences Pvt. Ltd.**

**...Appellants**

**Versus**

**LIC Housing Finance Ltd.**

**...Respondent**

**Present:**

**For Appellants: Mr. Krishnendu Datta, Sr. Advocate with Mr. Mahesh Agrawal, Mr. Ankur Saighal, Mr. Shivam Shukla and Ms. Prerana Wagh, Advocates.**

**For Respondent: Ms. Doel Bose and Ms. Anannya Ghosh, Advocates for R-1.**

**O R D E R**

**14.07.2023:** Heard Shri Krishnendu Datta, learned senior counsel for the Appellant as well as learned counsel for the Respondent. This Appeal has been filed against the two orders dated 26.06.2023 and 30.06.2023. By order dated 26.06.2023, the Adjudicating Authority has taken the reply on record and after hearing the matter reserved the order. Application I.A. No. 2722 of 2023 was filed by the Appellant for setting aside the order dated 26.06.2023, which too was rejected on 30.06.2023 with observation that Corporate Debtor has filed Reply and written submission also permitted to be filed.

2. On 26.06.2023, when the matter was taken for hearing Learned counsel for the Appellant requested for adjournment, which was not granted and after

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hearing order was reserved. Appellant filed I.A. No. 2722 of 2023, the Adjudicating Authority rejected the same.

3. Submission of Mr. Datta is that one more opportunity ought to have been given to the Appellant for final argument, which were not advanced on 26.06.2023 due to unavailability of arguing counsel.

4. We have considered the submissions of the parties and perused the record.

5. The order having already reserved by the Adjudicating Authority and request of the Appellant for setting aside order dated 26.06.2023 having been refused, we are of the view that the Appellate Court cannot issue a direction to the Adjudicating Authority, in facts of the present case, for rehearing. Appellant has already filed its Reply and Written Submission, which was permitted by the Adjudicating Authority. We see not reason that reply and written submission shall not be considered by the Adjudicating Authority while pronouncing the order. With these observation, the Appeal is dismissed.

**[Justice Ashok Bhushan]**  
**Chairperson**

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

*Archana/nn*