

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

**Company Appeal (AT) (Insolvency) No. 212 of 2018**

**IN THE MATTER OF:**

**Vaman Fabrics Private Limited**

**...Appellant**

**Vs.**

**Punjab National Bank and Anr.**

**...Respondents**

**Present: For Appellants: - Mr. Jaspal Singh, Advocate.**

**ORDER**

**15.05.2018**— The grievance of the ‘Corporate Debtor’ is that though he has filed an application under Section 10 of the Insolvency and Bankruptcy Code, 2016 (hereinafter referred to as “I&B Code”) on 16<sup>th</sup> December, 2017 and the case has been adjourned on different dates, no order admitting or rejecting the application has been passed. The Appellant has challenged the order dated 2<sup>nd</sup> May, 2018, which reads as follows:

*“Advocate Mr. A R Gupta is present for Corporate Debtor/Petitioner. Advocate Mr. Vishal Dave along with Advocate Mr. Nipun Singhvi are present for the Respondent.*

*List the matter on 28.05.2018”*

2. From the impugned order, it is not clear as to why the Adjudicating Authority (National Company Law Tribunal), Ahmedabad Bench,

Contd/-.....

Ahmedabad, has not passed appropriate order in terms of the provisions of the 'I&B Code' in spite of the presence of the lawyers. We expect that the Adjudicating Authority will pass appropriate order by the next date fixed, i.e. 28<sup>th</sup> May, 2018 after hearing the parties. In case no order is passed in spite of presence of parties, it will be open to the Appellant to bring this fact to the notice of the Hon'ble President, NCLT, New Delhi for appropriate order. The appeal stands disposed of with aforesaid observation.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Justice Bansi Lal Bhat)  
Member(Judicial)

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