

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

**Company Appeal (AT) (Insolvency) No. 567 of 2018**

**IN THE MATTER OF:**

**Haravtar Singh Arora**

**...Appellant**

**Vs.**

**Punjab National Bank & Ors.**

**...Respondents**

**Present: For Appellant: - Mr. D.K. Devesh and Ms. D. Geetha, Advocates.**

**For Respondents: - Mr. Rajesh Kr. Gautam and Mr. Aakash Sehrawat, Advocates for R-1  
Mr. Amish Tandon, Mr. Ayush and Mr. Shameer, Advocates for R-1.**

**ORDER**

**20.09.2018—** This appeal has been preferred by the Director of 'James Hotels Limited'- ('Corporate Debtor') against the order dated 8<sup>th</sup> August, 2018 passed by the Adjudicating Authority (National Company Law Tribunal), Chandigarh Bench, Chandigarh, after delay of two days.

2. Having heard learned counsel for the Appellant and Mr. Amish Tandon, learned counsel appearing on behalf of the 'Resolution Professional', delay of two days is condoned.

3. Learned counsel for the Appellant submits that the appointment of the 'Valuer'/'Accountant' is not legal but we are not inclined to accept such submission as the power to engage an Accountant, legal or other

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professional is vested with the 'Resolution Professional' under Section 25 (d) of the 'I&B Code'.

4. It was then contended that during the period of 'Moratorium' cases pending against the 'Corporate Debtor' has not been stopped by the 'Resolution Professional' but such submission cannot be accepted as in terms of Section 14 of the 'I&B Code', all the proceedings pending before all court against the 'Corporate Debtor' automatically comes to halt and cannot be decided. Therefore, the 'Resolution Professional' is not required to take any further step.

5. We find no merit in this appeal. It is accordingly dismissed. However, in the facts and circumstances of the case, there shall be no order as to cost.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Justice Bansi Lal Bhat)  
Member(Judicial)

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