

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL AT CHENNAI**  
**(APPELLATE JURISDICTION)**

**Company Appeal (AT) (CH) (INS) No. 217 of 2021**

**(Under Section 61 of the Insolvency and Bankruptcy Code, 2016)**

**Against the Impugned Order dated 12.08.2021 in IBA/149/2020 passed by the**  
**Adjudicating Authority, (National Company Law Tribunal,**  
**Division Bench-II, Chennai Bench)**

**In the matter of:**

**Mr. T. Prabakar**

Flat A4, Green Centaur,  
7a/4, Cenotaph 1<sup>st</sup> Street,  
Alwarpet, Teynampet,  
Chennai 600 018.

**...Appellant**

**V**

**1. Mr. S. Krishnan**

Door no.3, G2, Sumangali Flats,  
Parangusapuram Street,  
Kodambakkam,  
Chennai 600 024.

**...Respondent No. 1**

**2. Nippon Life India AIF Management Limited**

Peninsula Business Park,  
4<sup>th</sup> Floor, Tower 'A',  
Ganpatrao Kadam Marg,  
Lower Parel (W),  
Mumbai 400 013.

**...Respondent No. 2**

**3. Nippon Life India Asset Management Limited**

Peninsula Business Park,  
4<sup>th</sup> Floor, Tower 'A',  
Ganpatrao Kadam Marg,  
Lower Parel (W),  
Mumbai 400 013.

**...Respondent No. 3**

**Present:**

For Appellant

: Mr.S. Sathiyarayanan, Advocate,  
for Mr. A S Sathish Kumar,  
Practicing Company Secretary

For Respondents No.2 and 3 : Mr. Raj Jhabakh, Advocate

**ORDER**  
**(VIRTUAL MODE)**

Heard Mr. S. Sathiyarayanan, Advocate, for Mr. A S Sathish Kumar, Practicing Company Secretary appearing for the Appellant.

At this juncture, for Respondents. No.2 and 3 Mr.Raj Jhabakh Learned Counsel appears and prays for time to file 'Vakalat' for Respondents No.2 and 3 and accordingly he is permitted to file Reply/Response/Counter for Respondents No.2 and 3 within four weeks from today before the 'Office of the Registry' (not only through e-filing but also through Hard Copy) and the copy of the same shall also be served to the Learned Counsel for the Appellant as well as to the 1<sup>st</sup> Respondent/Resolution Professional, well in advance, before the next date of 'Hearing'.

Soon after the receipt of the copy of the Reply/Response/Counter of the Respondents 2 and 3, it is open to the Appellants' side to file 'Rejoinder', if any, within three days thereafter, before the 'Office of the Registry' (not only through e-filing but also through Hard Copy) and the copy of the same shall be exchanged between the Learned Counsels, well in advance, before the next date of 'Hearing'.

In respect of Respondent No.1/Resolution Professional, the Learned Counsel for the 'Appellant' is permitted to service 'Notice' through e-mail today itself along with Appeal Paper Book(s) and Material Paper(s) without fail.

It is represented by the Learned Counsel for the 'Appellant' that the 'Committee of Creditor' Meeting is scheduled to take place on 13.09.2021 at 3.00 PM and as such, this 'Tribunal', in the interest of justice defers the 'Committee of Creditor's Meeting scheduled to take place on 13.09.2021 at 3.00 pm till the next date of Hearing.

Before the next date of 'Hearing' it is open to the 'Resolution Professional' to file 'Status Report'.

The 'Office of the Registry' is directed to List the matter on **09.11.2021**.

**[Justice M. Venugopal]**  
**Member (Judicial)**

**[Kanthi Narahari]**  
**Member (Technical)**

**09.09.2021**  
**SE**