

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

**Company Appeal (AT) (Insolvency) No. 292-293 of 2021**

**IN THE MATTER OF:**

**Sintex Industries Ltd.**

**...Appellant**

**Versus**

**Punjab National Bank**

**...Respondent**

**Present:**

**For Appellant: Mr. Virender Ganda, Sr. Advocate with Ms. Honey Satpal, Mr. Nipun Singhvi, Mr. Vishal Dave and Mr. Samriddh Bansal, Advocates.**

**For Respondent: Mr. Dhruv Mehta, Sr. Advocate with Mr. Karan Valecha, Advocate.**

**ORDER**  
**(Through Virtual Mode)**

**05.04.2021:** In terms of order dated 15<sup>th</sup> March, 2021, we disposed off Company Appeal (AT) (Insolvency) No. 200 of 2021 directing the Adjudicating Authority to consider the application under Section 7 of I&B Code filed by 'Punjab National Bank' (Financial Creditor/ Respondent herein) and pass an order of admission or rejection of the application on merit within one week. We also directed the Adjudicating Authority to report compliance in this regard. This order was assailed in appeal before the Hon'ble Apex Court, which came to be dismissed in terms of order dated 22<sup>nd</sup> March, 2021.

*Cont'd.../*

Through the medium of instant appeal preferred against order dated 25<sup>th</sup> March, 2021 passed by the Adjudicating Authority (National Company Law Tribunal) Ahmedabad Bench, Ahmedabad, Court 2, by virtue whereof order has been reserved in the application under Section 7 of the I&B Code, this Appellate Tribunal is called upon to direct the Adjudicating Authority to consider application filed under Section 442 of the Companies Act, 2013 for mediation preferred by the Appellant before passing order of admission or rejection of application under Section 7 of I&B Code.

After hearing Mr. Virender Ganda, learned senior counsel for the Appellant, we are of the considered view that since order has been reserved by the Adjudicating Authority on application under Section 7 in regard to its admission or rejection on merit and the import of the earlier order passed by this Appellate Tribunal upheld in appeal by the Hon'ble Apex Court cannot be diluted, we find no merit in this appeal and the same is dismissed.

**[Justice Bansi Lal Bhat]**  
**Acting Chairperson**

**[Dr. Ashok Kumar Mishra]**  
**Member (Technical)**

*am/gc*