

NATIONAL COMPANY LAW APPELLATE TRIBUNAL,

PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) (Ins) No. 378 of 2021

IN THE MATTER OF:

Kotak Mahindra Bank Ltd.

Appellant

Vs.

ICICI Bank Ltd. & Anr.

....Respondents

Present:

**For Appellant: Mr. Suresh DuttDophal and Mr. Shikhar Kumar,
Advocates**

**For Respondents: Mr. Anand Shankar, Ms. Arpit Gupta, Advocates for
R-1**

**CA JitendraLohia and Mr. ManjuBhuteria, Advocates
for RP, R2.**

O R D E R
(Virtual Mode)

28.05.2021: Heard Ld. Counsel for the Appellant. Appellant is a one of Financial Creditor. At the instance of ICICI bank, application under Section 7 of the IBC was admitted vide order dated 11.02.2021 against M.C. Nally Syayji Engineering Ltd. The Appellant is aggrieved with the impugned order dated 11.02.2021 against the same order CA (AT) (Ins) No. 147 o 2021 is already pending, therefore, this appeal may be heard alongwith that appeal.

Ld. Counsel for the Respondent No. 1 Shri Anand Shanker Jha vehemently opposed the application and submits that the Appellant is one of the Financial Creditor and he is no locus standi to challenge the order of Adjudicating Authority especially when they have raised any objection before the Adjudicating Authority.

We have considered the submissions.

Issue notice. The Respondent No. 1 accepts notice.

Issue notice to the other Respondents by speed post. Requisites alongwith process fee, be filed, if not filed within two days. If the Appellant provides the email address to the Respondents. Let notice be also issued through email.

The Appellant is directed to provide the appeal paper book to the Respondents. The Respondents may file Reply Affidavit within one week.

Let the matter be fixed alongwith CA (AT) (Ins) No. 147 of 2021 on **15th June, 2021.**

**[Justice Jarat Kumar Jain]
Member (Judicial)**

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

SC/md.