

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

Company Appeal (AT) (Insolvency) No. 1323 of 2022

IN THE MATTER OF:

Ashok Kumar Tyagi **...Appellant**

Versus

UCO Bank and Anr. **...Respondents**

Present:

For Appellant: **Mr. Virender Ganda, Sr. Advocate with Mr. Arvind Kumar Gupta, Ms. Purti Gupta, Ms. Henna George, Ms. Shivani Sharma, Ms. Tanya Hasija and Ms. Snigdha Pal, Advocates.**

For Respondent: **Mr. Ashish Choudhury and Mr. Akash Tandon, Advocates for R-1.**

Mr. Akash Agarwal, Advocate for IRP.

Mr. Nittin Bhatia, Advocate for Indian Bank.

Mr. A. K. Shrivastava, Mr. Akash Sharma and Mr. Sumit Devralia, Advocates for Workers Union.

ORDER

07.11.2022: This Appeal has been filed against impugned order passed by the Adjudicating Authority on 28.10.2022 allowing Section 7 application filed by the UCO Bank. This Appeal was taken up on 04.11.2022 on which date following order was passed:

“ORDER

04.11.2022: *A request has been made on behalf of learned counsel for the UCO Bank to take the matter on 07.11.2022. Learned counsel for the Appellant submits that there is urgency in the matter. However, to give opportunity to the Respondent Bank we adjourn this Appeal to 07.11.2022.*

Cont'd.../

Till the next date the IRP may not constitute the COC.

Indian Bank is permitted to file Intervention Application.”

Learned counsel for the UCO Bank submits that OTS proposal has already been received and it is under consideration and time of few weeks shall be required to consider the OTS proposal.

Learned counsel appearing for the Indian Bank submits that Indian Bank has already filed application for intervention which may also be permitted to be listed alongwith this Appeal. It is submitted that there is some defects in the Intervention Application. Defects may be cured by the applicant and I.A. may also be listed alongwith this Appeal on the next date.

List this Appeal on **10.01.2023**.

In the meantime, impugned order shall remain stayed.

[Justice Ashok Bhushan]
Chairperson

[Barun Mitra]
Member (Technical)

Archana/nn