

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. \_\_\_\_\_ OF 2019

DIARY NO. 3949 OF 2019

ANIL VORA

Appellant(s)

VERSUS

KAVYA BUILDCON PVT. LTD. & ORS.

Respondent(s)

O R D E R

Permission to file civil appeal is granted.

Given the fact that the petition filed by the Operational Creditor was rejected on 31.10.2018 as infructuous because at that point of time, a financial creditor's application had been admitted, we find that by the impugned order, the admission granted to the financial creditor has now been set aside. We, therefore, grant liberty to the appellant to move the National Company Law Tribunal afresh, which application will be decided on its own merits without being influenced by any observations made in the impugned order and without placing any time bar against the appellant.

The appeal stands disposed of.

....., J.  
[ ROHINTON FALI NARIMAN ]

....., J.  
[ VINEET SARAN ]

New Delhi;  
February 11, 2019.

ITEM NO.30

COURT NO.5

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL Diary No. 3949/2019

(Arising out of impugned final judgment and order dated 21-12-2018 in CA No. 706/2018 passed by the National Company Law Appellate Tribunal)

ANIL VORA

Petitioner(s)

VERSUS

KAVYA BUILDCON PVT. LTD. & ORS.

Respondent(s)

(FOR ADMISSION and IA No.23187/2019-EX-PARTE STAY and IA No.23186/2019-PERMISSION TO FILE APPEAL)

Date : 11-02-2019 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN  
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s)

Mr. K. Parameshwar, Adv.  
Mr. M. V. Mukunda, Adv.  
Mr. Udit Gupta, Adv.  
M/S. Udit Kishan And Associates, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

The appeal stands disposed of in terms of the signed order.

Pending applications stand disposed of.

(NIDHI AHUJA)  
COURT MASTER (SH)

(INDU KUMARI POKHRIYAL)  
ASSISTANT REGISTRAR

[Signed order is placed on the file.]