

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) (Insolvency) No. 1056 of 2022

&

I.A. No. 3082 of 2022

IN THE MATTER OF:

Smt. Sabita A. Biswas

...Appellant

Versus

Shri Vinodkumar Pukhraj Ambavat

...Respondent

Present:

For Appellant: Mr. Tasmeeet Singh, Mr. Pushpendra S. Bhadoriya,
Mr. Guneet Sidhu, Advocates

For Respondent: Ms. Pratiksha Sharma, Mr. Ankit Acharya, Ms.
Mueed Shah, Advocates

ORDER

09.09.2022: I.A. No. 3082 of 2022 has been filed for condonation of delay of four days in filing the Appeal. Delay of four days in filing the Appeal is condoned. I.A. No. 3082 of 2022 is allowed.

2. Heard Learned Counsel for the Appellant.

3. This Appeal has been filed against the Order dated 07.07.2022 passed by the National Company Law Tribunal, Cuttack Bench in I.A. No. 278/CB/2020 filed by the Appellant. By which Application, Appellant sought direction to Resolution Professional to accept the claim. Appellant has filed claim in Form-C along with the claim, Appellant has also filed photocopy of

unregistered sale deed engrossed on Rs. 100/- and stamp paper allegedly executed before the Notary on 13.01.2015.

4. The Adjudicating Authority rejected the Application for claim observing that alleged sale deed is neither registered nor stamped, cannot be looked for any purpose.

5. We are of the view that the Adjudicating Authority has rightly taken the view that such kind of sale deed which is neither registered nor stamped and was executed before Notary cannot be basis for any claim with regard to the purchase of immovable property as claimed by the Appellant.

6. We do not find any error in the Order of the Adjudicating Authority, the Appeal is dismissed.

[Justice Ashok Bhushan]
Chairperson

[Mr. Barun Mitra]
Member (Technical)

Basant/nn