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IN THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL AT NEW DELHI

COMPANY APPEAL (AT) (INSOLVENCY) NO. 629 OF 2018

Securities and Exchange Board of India

...Appellant

Versus

Assam Company India Ltd. & Ors.

.... Respondent

Notice to :

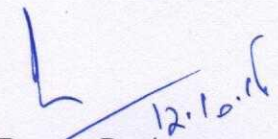
R1	Assam Company India Ltd. Green Wood Tea Estate, P.O. Dibrugarh, Assam, Through its Managing Director	R2	SREI Infrastructure Finance Pvt. Ltd. 86C, Topsia Road (South) Kolkata-700046 Through its Managing Director
R3	Mr. C.A. Kannan Tiruvengadam, Netaji Subhas Villa, Flat No.3C, 3 rd Floor, 18 Karunamoyee, Ghat Road, Near Dharapara Tollygunge, Kolkata, West Bengal-700082.		

NOTICE

Take notice that the aforesaid Appeal filed by the appellant was listed for admission before this Tribunal. The Hon'ble Appellate Tribunal by order dated 11th October, 2018 while ordering notice to you, directed the case to be listed on **01st November, 2018**. A copy of the order is enclosed.

You are therefore, directed to make it convenient to appear before this Tribunal on **01st November, 2018 at 10.30 A.M.** In default of appearance on the day when the matter is called up for hearing, the case would be heard and determined in your absence and no further notice will be given to you.

Given under my hand and the seal of the Court on this the 12th day of October, 2018.


Deputy Registrar

DATED: 12th October, 2018



NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 629 of 2018

IN THE MATTER OF:

Securities and Exchange Board of India

...Appellant

Vs.

Assam Company India Ltd. & Ors.

...Respondents

Present: For Appellant: - Mr. Pratap Venugopal, Advocate.

ORDER

11.10.2018- The Appellant is aggrieved of the impugned order passed by the Adjudicating Authority (National Company Law Tribunal), Guwahati Bench, in I.A. No. 58 of 2018 in C.P.(IB) No. 20/GB/2017 on 20th September, 2018, in so far as the same permits to delisting of the equity shares of the 1st Respondent.

2. Learned counsel for the Appellant submits that the Appellant- 'Securities and Exchange Board of India' ('SEBI' for short) was not a party to the proceedings arising out of triggering of 'Corporate Insolvency Resolution Process' under Section 7 of the Insolvency and Bankruptcy Code, 2016 and it is not aggrieved of the approval of the final 'Resolution Plan' by the Adjudicating Authority in terms of the aforesaid impugned order, except to the extent of permitting the delisting of the equity shares of the 1st Respondent.



3. It is submitted that on the allegation of the 1st Respondent- 'Assam Company India Ltd. & Ors.' being a shell Company, an investigation is underway and the 'SEBI' has passed an interim order on 8th December, 2017 directing appointment of an 'Independent Forensic Auditor' to verify financial irregularities and misuse of funds of 1st Respondent.

4. Learned counsel for the Appellant submits that the impugned order is directly in conflict with the jurisdiction and the interim directions passed by the 'SEBI'.

5. Let notice be issued on Respondents by speed post. Requisite along with process fee, if not filed, be filed by 12th October, 2018. If the Appellant provides the e-mail address of Respondents, let notice be also issued through e-mail.

Post the appeal on 1st November, 2018 before appropriate Bench.

In the meantime, till next date of hearing, the implementation of the impugned order shall remain stayed in so far as it permits delisting of the equity shares of the 1st Respondent.

FREE OF COST COPY

CERTIFIED TO BE TRUE COPY
OF THE ORIGINAL

[Signature]
12/10/18
Registrar

National Company Law Appellate Tribunal
New Delhi

[Signature]
(Justice Bansilal Bhat)
Member(Judicial)



Ar/g