

NATIONAL COMPANY LAW TRIBUNAL  
GUWAHATI BENCH

**I.A.No.34/2020**  
**(In C.P.(IB).09/GB/2019)**

*Under Rule 154 read with Rule 155 of the National Company Law Tribunal Rules, 2016.*

In the matter of:

Mr Sandeep Khaitan, IRP ... Applicant  
and National Plywood Industries Ltd. (NPIL)

-Versus-

Stressed Assets Stabilization Fund (SASF) ... Corporate Debtor

**Coram:**

**Hon'ble Mr Hari Venkata Subba Rao, Member (J)**

.....

**ORDER**

**Date of Order: 20<sup>th</sup> March 2020**

Mr Sandeep Khaitan, learned IRP is present. Mr A. Sarkar, learned Advocate is present for the CD.

2. Heard both sides in I.A.34/2020 and perused the records. The above application is filed by the IRP for correction of a factual error that crept in the order dated 27.02.2020 passed by this Tribunal. It was mistakenly mentioned at para 2 of page 2 of the said order as if the final order dated 26.08.2019 passed by this Tribunal was set aside by the Hon'ble Apex Court in an SLP and remitted the matter to NCLAT. However, it transpires from the record that the Hon'ble Supreme Court merely set aside the order passed by the NCLAT and remitted back the matter to NCLAT for fresh disposal on the plea of limitation. As a legal corollary, the order dated 26.08.2019 passed by this Tribunal remains intact and is under legal scrutiny before the NCLAT.

This Tribunal has taken judicial notice of the said factual error. The IRP is at liberty to act as per law as this Tribunal has already expressed its stand in regard to the aspect of status quo in the above order as it was a mere casual observation which was not culminated into any direction.

3. Accordingly, the above I.A. 34/2020 stands disposed of with the above observation.

  
Adjudicating Authority

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