

Insolvency and Banking Code , 2016 S. 60(5) - Jurisdiction - Whether the Adjudicating Authority has jurisdiction to pass the interim order the effect of which was to stop the implementation of the order passed by the District Magistrate under the provisions of the National Disaster Management Act, 2005 - Wherever the corporate debtor has to exercise a right that falls outside the purview of the IBC, 2016 especially in the realm of the public law, they cannot, through the resolution professional, take a bypass and go before NCLT for the enforcement of such a right - CIRP proceedings completed - The act of providing internet services to the residents by other internet providers apart from the Appellant, emanated from the order of District Magistrate passed in exercise of jurisdiction under National Disaster Management Act, 2005, which action was sought to be indirectly challenged before the Adjudicating Authority - The act of permitting the residents to avail the internet service of other service providers, did not emanate from any proceedings under the Insolvency Resolution Process and was outside the Insolvency Resolution Process - The Adjudicating Authority by issuing the interim order had virtually stopped the implementation of order of the District Magistrate which was outside the jurisdiction of the Adjudicating Authority.

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