NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Ins) No. 527 of 2020

IN THE MATTER OF:

MCC Concrete

Shreenath Bungalows
 Opp. Yash Complex,
 Mtr. Gotri-Gorwa Ring Road,
 Vadodara 390 021

...Appellant.

Versus

Northway Spaces Ltd.

Formerly Known as Mayfair Space Ltd. Opp. Delhi Public School, Old Padra Vadsar Ring Road, Vadodara, Gujarat State

...Respondent.

Present:

For Appellant: Mr. Malak Manish Bhatt and Mr. Udbhav Nanda, Advocates.

For Respondent: Mr. Manu Aggarwal, Advocate.

JUDGMENT

JARAT KUMAR JAIN, J:

This Appeal has been preferred by the Appellant M/s MCC Concrete (Operational Creditor) against the order dated 12/02/2020 passed by the Adjudicating Authority (National Company Law Tribunal), Ahmadabad Bench,

Ahmadabad. Whereby the Application preferred by the Appellant under Section 9 of the Insolvency and Bankruptcy Code (In Short I&B Code) has been rejected.

2. Brief facts of this case are that the Operational Creditor (Appellant herein) has supplied ready MCC Concrete at various sites of the Corporate Debtor (Respondent herein) upon placing purchase order by the Corporate Debtor. Pursuant thereto the Operational Creditor had issued invoices upon the Corporate Debtor along with delivery challans. The delivery challans are signed and stamped by the Corporate Debtor. The Corporate Debtor was earlier known as Mayfair Spaces Ltd. Hence, all the invoices and delivery challans were issued in the name of Mayfair Spaces Ltd. As per ledger account the Operational Creditor has supplied goods to the Corporate Debtor for the total sum of Rs. 02,29,94,288/-. Whereas, the Corporate Debtor has made 02,09,30,948/-. Even part payment of Rs. after several email communications, the Corporate Debtor has not made any payment for balance amount of Rs. 20,63,340/-. Therefore on 11/02/2017 the Operational Creditor has sent a demand notice to the Corporate Debtor. Despite receipt of the notice, the Corporate Debtor has neither replied to the notice nor made any payment. Therefore, the Operational Creditor has filed an Application under Section 9 of the I&B Code before the Adjudicating Authority for initiation of Corporate Insolvency Resolution Process (CIRP) against the Corporate Debtor.

3. The Corporate Debtor resisted the Application on the ground that the invoices dated 15/07/2013 and 18/10/2013 bearing nos. 661 and 360 of Rs. *Company Appeal (AT) (Ins) No. 527 of 2020*

5,33,120/- and Rs. 5,16,460/- respectively have been issued to the Corporate Debtor. As per the said invoices, goods were delivered to Mayfair Corporate Park. The Corporate Debtor has no connection with Mayfair Corporate Park. Therefore, the said invoices were returned by the Corporate Debtor vide its letter dated 16/07/2013 and 21/10/2013 stating that the bills are erroneously sent to them. Again, 14 invoices (particulars mentioned at pg.76 of the appeal paper-book) were issued by the Operational Creditor without proper challans which shows that goods were not delivered to the Corporate Debtor. The claim of the Operational Creditor is based on the invoices which are of 2013, whereas the application is filed on 15/01/2018. Thus, the claim is barred by limitation.

4. After hearing the parties, Ld. Adjudicating Authority held that Operational Creditor is maintaining a running account of the Corporate Debtor and as per the ledger account, the last payment of Rs. 12 lacs were made by the Corporate Debtor on 05/11/2015 and the Application is filed on 15/01/2018. Thus, the application is within limitation. Ld. Adjudicating Authority held that on 15/07/2013 and 18/10/2013 no order was placed by the Corporate Debtor, therefore, the invoices dated 15/07/2013 and 18/10/2013 bearing nos. 661 and 360 have been issued erroneously. Therefore, the Corporate Debtor vide its letter dated 16/10/2013 and 21/10/2013 sent back the invoices stating that the Corporate Debtor has no connection with Mayfair Corporate Park to whom the goods were delivered. On this basis it is held that there is pre-existing dispute regarding the goods supplied and invoices raised thereof. Hence, rejected the application.

5. Being aggrieved with this order, the Operational Creditor has filed this Appeal.

6. Ld. Counsel for the appellant made following submissions:

- i. There is no pre-existing dispute with respect to the two invoices. Actually, the goods delivered on the site of Mayfair Corporate Park which is developed by Mayfair Spaces Ltd. (respondent) which is an associated entity of the respondent. Delivery challans are duly signed and stamped by the respondent. Therefore, respondent cannot dispute the said invoices.
- ii. The 14 invoices raised against the respondent amount to Rs. 08,53,775/- have been acknowledged with the seal and stamp of respondent.
- iii. The ledger account placed on record by the appellant is in-tune with claims of the appellant.
- iv. Within three years from the date of acknowledgment, the application is filed. Thus, it is within limitation.

7. Per contra, ld. counsel for the respondent has made the following submissions:

i. The appellant has failed to establish that there is an Operational Debt of more than Rs. 1 lac due to it from the respondent. As per ledger only Rs. 70,165/- is due which is less than Rs. 1 lac. Therefore, the application under section 9 is not maintainable.

ii. The respondent has never supplied the copy of ledger account to the appellant. The copy of the ledger account produced by the appellant is unsigned and source of procurement is not disclosed. Therefore, it cannot be relied upon.

iii. The appellant has supplied the goods to Mayfair Corporate Park but erroneously raised the disputed bills to the respondent. Thus, there is a pre-existing dispute in regard to payment of these invoices.

iv. The appellant has claimed Rs. 20,63,340/- without filing any statement of accounts.

v. The section 9 application could not have been decided only on the basis of absence of reply to demand notice.

8. After hearing the arguments of ld. counsel for the parties we have perused the record.

9. The Hon'ble Supreme Court in Mobilox Innvations Pvt. Ltd. Vs. Kirussa Software Pvt. Ltd. 2017 1 SCC Online SC 353 held as to what are facts to be examined by the Adjudicating Authority while examining an Application under Section 9 of I & B Code which is as follows: -

"34. Therefore, the adjudicating authority, when examining an application under Section 9 of the Act will have to determine:

(i) Whether there is an "Operational Debt" as defined exceeding Rs. 1 Lakh? (See Section 4 of the Act)

- (ii) Whether the documentary evidence furnished with the application shows that the aforesaid debt is due and payable and has not yet been paid? And
- (iii) Whether there is existence of a dispute between the parties or the record of the pendency of a suit or arbitration proceeding filed before the receipt of the demand notice of the unpaid operational debt in relation to such dispute? If any one of the aforesaid conditions is lacking, the application would have to be rejected. Apart from the above, the adjudicating authority must follow the mandate of Section 9, as outlined above, and in particular the mandate of Section 9(5) of the Act, and admit or reject the Application, as the case may be, depending upon the factors mentioned in Section 9(5) of the Act."

10. In the light of this pronouncement firstly we examined whether there is an operational debt exceeding Rs. 1 lac as defined under Section 4 of the I&B Code. In the application under Section 9 of the I&B Code, it is mentioned that appellant has supplied ready-mix concrete material to respondent for their various construction sites from 30/09/2012 to 20/10/2014 for which various invoices were issued from time to time as against the total outstanding payment of Rs. 02,29,94,288/-. The respondent (Corporate Debtor) has paid a sum of Rs. 02,09,30,948/- and balance of Rs. 20,63,340/- is outstanding as on 11/11/2015.

11. The respondent denied this fact and according to him as per the ledger, the outstanding amount is only Rs. 70,165/-. In support of this contention, the respondent filed ledger account of appellant maintained by the respondent for period of 01/04/2012 to 20/03/2018. (See Page 97-102 of Appeal Paper Book) The respondent has produced its statement of accounts which clearly shows that the total amount outstanding against the appellant is Rs. 70,165/- which is less than Rs. 1 lac. The appellant has not pointed out any error in the statement of account filed by the respondent.

12. In rebuttal, the Appellant has filed the ledger account of the appellant, copy of which served by the respondent upon appellant. In this ledger account the amount payable to appellant is shown as Rs.19,89,130/-.

13. The respondent has taken a serious objection that the respondent's officer has not supplied any such copy of ledger account to the appellant. Such unsigned copy cannot be relied upon.

14. We have considered the objection in regard to the ledger account filed by the appellant (please see pg. 117-122 of the appeal paper-book). It is true that this ledger account is not signed by anybody and the appellant has not disclosed the name of respondent's officer who has supplied the copy of this ledger account. The copy of ledger account which is filed by the respondent is also an unsigned document. It is not argued on behalf of the respondent that the ledger account filed by the appellant is forged or fabricated. We are of the view that the ledger account filed by the appellant is genuine and shows the true picture. Thus, it is a reliable document.

15. We have reconciled these ledger accounts. We noted that following 17 items are missing in the copy of ledger account filed by the respondent which are as under:

| DATE | PARTICULARS | VCH TYPE | VCH NUMI | CREDIT/DEBIT |
|---------|---------------------------------|----------|----------|-------------------|
| 09/10/1 | 2 BY Pur-Cement Rmc (Sunrise) | Purchase | 574 | 1,42,800 |
| 10/10/1 | 2 By Pur-Cement Rmc (Address) | Purchase | 577 | 33,320 |
| 10/10/1 | 2 By Pur-Cement Rmc (Address) | Purchase | 578 | 8,920 |
| 03/05/1 | 3 By Pur-Cement Rmc (Address) | Purchase | 72 | 31,220 |
| 13/06/1 | 3 By Pur-Cement Rmc (Address) | Purchase | 344 | 17,840 |
| 11/07/1 | 3 By Pur-Cement Rmc (Address) | Purchase | 529 | 31,220 |
| 12/08/1 | 3 By Pur-Cement & RMC Millenium | Purchase | 711 | 9,520 |
| 12/08/1 | 3 By Pur-Cement Bag | Purchase | 712 | 1,80,880 |
| 12/08/1 | 3 By Pur-Cement Bag | Purchase | 731 | 5,33,120 |
| 28/10/1 | 3 By Pur-Cement Rmc (Address) | Purchase | 1209 | 5,16,460 |
| 20/11/1 | 3 By Pur-Cement & RMC (Eklavya) | Purchase | 1321 | 13,380 |
| 22/11/1 | 3 By Pur-Cem & RMC (Eklavya) | Purchase | 1341 | 13,380 |
| 25/11/1 | 3 By Pur-Cement & RMC (Eklavya) | Purchase | 1358 | 3,345 |
| 19/12/1 | 3 By Pur-Cem & RMC (Eklavya) | Purchase | 1527 | 15,610 |
| 19/12/1 | 3 By Pur-Cem & RMC (Eklavya) | Purchase | 1529 | 1,09,270 |
| 19/12/1 | 3 By Pur-Cem & RMC (Eklavya) | Purchase | 1530 | 95,890 |
| 22/01/1 | 4 By Pur-Cem & RMC (Eklavya) | Purchase | 1744 | 1,62,790 |
| | | | | Total = 19,18,965 |

16. Following ledger account is filed by the Appellant, in this account above referred items are shown in the box however, these items are missing in the ledger account (See Page 97-102 of Appeal Paper Book) filed by the Respondent.

Northway Spaces Limited 5-9/10, Essan House, BIDC, Gorwa, Vadodara <u>CIN: U70105GJ2007PLC050205</u> MCC CONCRETE Ledge: Account SURVEY NO 109, B/H KRISHNA KATHIYAWADI HOTEL, N H NO 5 VILLAGE DUMAD 0265-2750791/

1-Jan-2001 to 10-Oct-2017

| Date Particul | | | | | | Page |
|--|-----------------------|--------------|------|------|--------------|--------------|
| 1 611 619 61 | | Vch Type | Vah | Na | Debit | Cred |
| 30-9-2012 By Pur-Com | ent & Rmc(Twin Tow | er) Purchase | | 511 | | /13,380.0 |
| By Pur-Com | ant Rmc (Sunrisa) | Purchase | | 512 | | 23,415.0 |
| 2-10-2012 By Pur-Cem | ent & Rmc(Signature) | Purchase) | | 545 | | 22,300.0 |
| 3-10-2012 By Pur-Cem | ent Rmc (Sunrise) | Purchase | | 548 | | 11,150.0 |
| 4-10-2012 By Pur-Came | ent & Rmc(Signature) | Purchase | | 552 | | 12,265.0 |
| "-10-2012 By Pur-Ceme | ent Rmc (Sunrise) | Purchase | | 668 | | 20,070.0 |
| 10-2012 By Pur-Ceme | | | | 650 | | 14,495.0 |
| By Pur-Cem | | Purchase | 1 | 61 | | 17,840.0 |
| 7-10-2012 By Pur-Ceme | | | | 52 | | 15,610.0 |
| By Pur-Ceme | int Rmc (Sunrise) | Purchase | | 53- | | -46,830.00 |
| 8-10-2012 By Pur-Ceme | | | | 68 | | 13,380.00 |
| By Pur-Ceme | int&Rinc | Purchase | | 68 | | 26,180.00 |
| 9-10-2012 By Pur-Cemai | nt Rmc (Sunrise) | Purchase | | 74 - | | 1,42,800.00 |
| 10-10-2012 By Pur-Cemer | nt & Hmc(Address) | Purchase | | 77 | | 33,320.00 |
| by Pur-Lemer | nt & Rmc(Address) | Purchase | | 78 | | 8.920.00 |
| 12-10-2012 By Pur-Cemer | nt & Kmc(Signature) | Purchase | 100 | 86 | | 10.035 00 |
| 14-10-2012 By Pur-Cemen | | Purchase | | 95 | | 20,070.00 |
| | t Rmc (Sunrise) | Purchase | 5 | 36 | | 83,300 00 |
| 15-10-2012 By Pur -Cemer | nt&Rmc | Purchase | 51 | 8 | | 61,880.00 |
| | t Rmc (Sunrise) | Purchase* | | 10 | | 26,180.00 |
| 7-10-2012 By Pur-Camant | | Purchase | | 17 | | 31,220.00 |
| 8-10-2012 By Pur-Cement | | | 61 | | | 1,13,050.00 |
| By Pur-Coment | | Purchase | -01 | | | 6,690.00 |
| 5-10-2012 By Pur-Cement | | | 60 | 7 | | 5.99,760.00 |
| 7-10-2012 By Pur-Cement | | | 64 | 0 | | 66,640.00 |
| 1-10-2012 By Pur-Cement | | | 66 | 15 | | , 8,920.00 |
| -11-2012 By Pur-Cement | | Purchase | - 67 | 3 - | | - 45,715.00 |
| -11-2012 By Pur-Cement | | Purchase | 55 | 8 | | 1,45,180.00 |
| 411-2012 To Axis Bank (9 | 12020032063493) | Payment | 224 | 2 | 2.03.465.00 | |
| 1-11-2012 By Pur-Cement I | Dma (Suprisa) | Purchase | 71 | 1- | | 44,500.00 |
| 12-2012 By Pur-Cement I | Paris (Sunnise) | Purchase | 73 | ÷ . | | 95,200.00 |
| 12 Dur-Cement I | Rimo (Sunrise) | | 113 | | | 55,200.00 |
| 12-2012 To Diamond Pow | er Infrastructure Ltd | Journal | | | 10,00,605.00 | |
| 12-2012 To Axis Bank (91 | 12020032063493) | Payment | 247 | | 2,50,000.00 | |
| >12-2012 By Pur-Cement F | (mc (Sunrise) | Purchase | 83 | | | 16,660.00 |
| 1-1-2013 By Pur-Cement R | (Sunrise) | Purchase | 85 | 7 | | 1,33,260.00 |
| EV Pur-Comont D | Inna / Sumalant | Purchase | 86 | t) – | | 21,185 00 |
| P1-2013 By Put Compart P | ma (Bundlea) | Purchase | 88 | 1 | | 55,750.00 |
| | | Payment | 266 | 2 | 1,02,605.00 | |
| | | Purchase | 00 | 1 | | 47,945.00 |
| -1-2013 Ry Pur-Coment R | mc (Sunrise) | Purchase | 90 | | | 31,220.00 |
| H-2013 By Pur-Cement R H-2013 By Pur-Cement & By Pur-Cement & By Pur-Cement & | mc (Sunrise) | | 917 | | | 1,38,040.00 |
| - run-Coment & | Rmr/Sinnature) | Purchase | 923 | | | 1,60,650.00 |
| s . en eenstitt M | mc (Sunnse) | Purchase | 923 | | | 6.690.00 |
| By Pur-Cement & By Pur-Cement Rr By Pur-Cement Rr | Rmc(Twin Tower) | Purchase | | | | |
| Pur-Coment Dy | and Consideral | Purchase | 93- | | | 1,46,370.00 |
| | | Purchase | 935 | | | 1,83,260.00 |
| By Pur-Cement Rr | nc (Sunrise) | Purchase | 936 | | | 1,45,130.00 |
| Carried On | | | | | 15,55,675.00 | 28,66,625.00 |
| - | 576 Đ | | | | | |
| | | | | | | continued |

117

| Date | TE Ledger Account : 1-Jan-20 Particulars | Vch Typ | 8 | Vch No. | Debit | Cred |
|-----------------|--|---|-------------|---------|----------------------------|---|
| | Brought Forward | | | | 15,56,675.00 | 28,66,625.0 |
| 12.1.2012 By | Pur-Cement Rmc (Sunrise) | 21.5 | | | | 78,050.0 |
| Du Du | Pur-Cement Rmc (Sunrise) | Purchase | | 937 | | 45,220.0 |
| Bu | For-Cement Rmc (Sunnse) | Purchase | | 938 | | 13,380.0 |
| Dy Du | Pur-Cement Rmc (Sunrise) | Purchase | | 939 | S - 5 | - 37,910.0 |
| 17.1.2012 Bu | Pur-Cement & Rmc(Twin Towe | | | 940 | | 1,43,990.0 |
| 17-1-2013 By | Pur-Cement Rmc (Sunrise) | Purchase | | 955 | | 7,33,040.0 |
| 20 4 2012 D | Pur-Cement & Rmc(Twin Towe | | | 957 | *)) () | CONG CR. 2010C |
| 33-1-2013 By | Pur-Cement Rmc (Sunrise) | Purchase | | 1019 | | 1,77,310.0 |
| 1-2-2013 10 1 | Kotak Mahindra Bank (0841218000030 | and the second se | | 3068 | 10,95,900.00 | A1 666 6 |
| 18-2-2013 By | Pur-Cement Rmc (Sunrise) | Purchase | | -1105 | | - 31,220.0 |
| By 1 | Pur-Cement Rmc (Sunrise) | Purchase | | 1107 | | 15,610.0 |
| By I | Pur-Cement Rmc (Sunrise) | Purchase | | 1108 | | 1,49,940.00 |
| 20-2-2013 By 1 | Pur-Cement & Rmc(Twin Towe | r) Purchase | | 1112- | 11 | 15,610.00 |
| | Pur-Cement & Rmc(Twin Towe | | | 1113 | | 33,320.00 |
| 26-2-2013 To 1 | Cotak Mahindra Bank (08412180000303 |) Payment | | 3298 | 11,50,730.00 | 1043423101844 |
| 27-2-2013 By 1 | Pur-Cement & Rmc(Address) | Purchase | | 1142 | | 43,485.00 |
| 2-3-2013 By R | Pur-Cement & Rmc(Twin Tower |) Purchase | | -1162 - | | 78,050.00 |
| 4-3-2013 By F | ur-Cement & Rmc(Address) | Purchase | · · · · · · | -1170 | 96 | - 78,050.00 |
| 5-3-2013 By F | Pur-Cement Rmc (Sunrise) | Purchase | 6 (m | -1180 - | | 1,42,811 00 |
| 7-3-2013 By F | ur-Cement & Rmc(Address) | Purchase | | 1196 - | - | 1,33,2600 |
| 11-3-2013 By F | ur-Cement & Rmc(Twin Tower | | | 1218- | | -6,690.00 |
| 12-3-2013 By P | ur-Cement & Rmc(Address) | Purchase | 101 Tal | - 1237 | | 49,980.00 |
| 14-3-2013 By P | ur-Cement & Rmc(Address) ur-Cement & Rmc(Twin Tower | Purchase | | 1247 | | 39,025.00 |
| 15-3-2013 By P | ur-Cement Rmc (Sunrise) | Purchase | | 1258 | | 2,16,580.00 |
| | | Purchase | | | | |
| | ur-Cement Rmc (Sunrise) | | | 1259 | | 1,42,800.00 |
| | ur-Cement Rmc (Sunrise) | Purchase | | 1260 | | 1,42,800.00 |
| AT C DOLD D. D | ur-Cement & Rmc(Address) | Purchase- | | - 1261 | | 46,830.00 |
| 17-3-2013 By P | ur-Cement & Rmc(Twin Tower | Purchase | 1.5 | -1292 - | | 71,150.00 |
| 19-3-2013 TO K | otak Mahindra Bank (08412180000303) | Payment | | 3587 | 5,81,405.00 | |
| | dian Overseas Bank (10502000010505) | | | 3652 | 10,00,000.00 | |
| By P | ur-Cement & Rmc(Address) | Purchase | | -1331 | 25 | 74,705.00 |
| | ur-Cement Rmc (Sunrise) | Purchase | | -1332 | 100-00 | 1,42,800.00 |
| | r-Cement Rmc (Sunrise) | Purchase | | 1333 | | 1,42,800.00 |
| 1.2.5.1.6.5 | ir-Cement & Rmc(Address) | Purchase- | | 1334 - | | 2,16,580.00 |
| | r-Cement & Rmc(Twin Tower) | | | - 1335- | | 2,07,060.00 |
| | r-Cement & Rmc(Address) | Purchase Purchase | | 1336- | | · 1,99,920.00 |
| | r-Cement Rmc (Sunrise) r-Cement & Rmc(Address) | Purchase | | -1338 | | -1,45,180.00 |
| | r-Cement & Rmc(Address) | Purchase | - | 1339 | | 84,7 OC |
| 22 States | r-Cement & Rmc(Address) | Purchase | | -1340 | | 31,220.00 |
| | r-Cement Rmc (Sunrise) | Purchase | | 1341 | | - 35,680.00 |
| By Pu | r-Cement & Rmc(Twin Tower) | | | 1342 - | | 15,610.00 - 13,43,998.00 |
| 24-3-2013 By Pu | r-Cement & Rmc(Twin Tower) | Purchase | | 1347 | | |
| | -oement a kinc(rum rower) | | | | 22 YO 7 - 14 DAILTING - 14 | 1,58,400.0(|
| | | | | | 53,84,710.00 | 82,82,588.00 |
| To | Closing Balance | | | | 28,97,878.00 | |
| | 1 | | | | 82,82,588.00 | 82,82,588.01 |
| 1-4-2013 0 | and the second second second | | | | | |
| 1-4-2013 By Op | ening Balance | | | 0001110 | 1123789480319 | 28,97,878.01 |
| 3.5 2015 To Ket | k Mahindra Bank (08412180000303) | Payment | | 190 | 7,23,700.00 | See all a state of the second second |
| and by Put | -Cement & Rmc(Twin Tower) | Purchase | 20 | 62 | | 1,64,220.0 |
| By Pur | -Coment & Rmc(Twin Tower) | Purchase | | 63 | | 15,610.0 |
| By Pur | | Purchase | | 64 | | 49,980.0 |
| By Pur | | Purchase Purchase | | 66 | a) | 15,610.0 |
| By Pur | | Purchase | | 67 | | -1.66,600,0 |
| By Pur | wernent a minumuneaar | Purchase | | -68- | | 18,955,0 |
| of Pur | Cement & Rmc(Address) | al citabe | | | | 10,000,00 |
| | Carried Over | | | | 7,23,700.00 | 33,40,753.0 |
| | | | | 11.0 | | Card and the other designation of the local division of the local |

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| Partners Partners 1 | | | | | | | | | |
|--|--|--|------|---|---------|--------|--|--------------|-------|
| Particular Particular Particular Particular 100 Dural Control I (2000) Transmitter (2000) Transmitter (2000) 34-07:500 Transmitter (2000)< | | | | | | | | 110 | |
| MCC CONCRETE Ledger Account: 1-Jan-2001 to 100-02-2017 Page 3 Credit Date Prough Forward 723.700.00 34.07.550.00 352013 By Pur-Cement & Renc(Address) Purchase 66 -2.05.570.00 352013 By Pur-Cement & Renc(Address) Purchase 71 31.220.00 By Pur-Cement & Renc(Address) Purchase 72 31.220.00 By Pur-Cement & Renc(Address) Purchase 73 31.200.00 By Pur-Cement & Renc(Address) Purchase 166.00.00 17.1.500.00 By Pur-Cement & Renc(Address) Purchase 184 11.200.00 By Pur-Cement & Renc(Address) Purchase 184 12.200.00 By Pur-Cement & Renc(Address) Purchase </th <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th>119</th> <th></th> | | | | | | | | 119 | |
| Date Particulariz Von Type Von No. Dabit Credit 35-2013 By Pur-Cement & Renc[Address] Purchase - 60 - 2.05.700.01 33.40,753.00 By Pur-Cement & Renc[Address] Purchase 71 - 31.220.001 By Pur-Cement & Renc[Address] Purchase 72 - 31.220.001 By Pur-Cement & Renc[Address] Purchase 74 - 31.220.001 By Pur-Cement & Renc[Address] Purchase 75 - 31.520.00 By Pur-Cement & Renc[Address] Purchase 76 - 21.85.001 By Pur-Cement & Renc[Address] Purchase 76 - 21.85.001 By Pur-Cement & Renc[Address] Purchase 161 6.66.00.00 6.66.00.00 By Pur-Cement & Renc[Address] Purchase 182 17.15.00 6.66.00.00 By Pur-Cement & Renc[Address] Purchase 183 82.00 17.75.00 By Pur-Cement & Renc[Address] Purchase 183 82.00 17.5.00 By Pur-Cement & Renc[Addres | Northway Spaces Limited | 2011/2012 | | | | | | | |
| Brough Forward 7,23,700,00 34,07,83,00 3,52013 By Pur-Cement & Rmc[Address] Purchase 60 - 2,08,870,001 By Pur-Cement & Rmc[Address] Purchase 71 31,220,001 31,220,001 By Pur-Cement & Rmc[Address] Purchase 72 31,220,001 By Pur-Cement & Rmc[Address] Purchase 76 46,830,000 By Pur-Cement & Rmc[Address] Purchase 76 46,830,000 S2-52013 By Pur-Cement & Rmc[Address] Purchase 77 31,220,001 S2-52013 By Pur-Cement & Rmc[Address] Purchase 76 46,830,000 S2-52013 By Pur-Cement & Rmc[Address] Purchase 182 16,560,000 By Pur-Cement & Rmc[Address] Purchase 182 18,550,000 By Pur-Cement & Rmc[Address] Purchase 182 18,550,000 By Pur-Cement & Rmc[Address] Purchase 182 18,550,000 By Pur-Cement & Rmc[Address] Purchase 122 18,550,000 By Pur-Cement & Rmc[Address] Purchase 122 | Date Particulars | | | | Step 11 | | | | |
| 5522013 By Pur-Cament & Rmc(Address) Purchase 70 31,220.001 By Pur-Cament & Rmc(Address) Purchase 71 31,220.001 By Pur-Cament & Rmc(Address) Purchase 72 31,220.001 By Pur-Cament & Rmc(Address) Purchase 74 31,220.001 By Pur-Cament & Rmc(Address) Purchase 74 31,220.001 By Pur-Cament & Rmc(Address) Purchase 75 15,610.000 By Pur-Cament & Rmc(Address) Purchase 76 31,220.001 By Pur-Cament & Rmc(Address) Purchase 76 31,220.001 By Pur-Cament & Rmc(Address) Purchase 76 31,220.001 By Pur-Cament & Rmc(Address) Purchase 180 1,1350.001 By Pur-Cament & Rmc(Address) Purchase 182 16,6500.001 By Pur-Cament & Rmc(Address) Purchase 182 16,6500.001 By Pur-Cament & Rmc(Address) Purchase 182 16,850.000 By Pur-Cament & Rmc(Address) Purchase 182 16,850.00 By Pur-Cament & Rmc(Address) | Brought Forward | | | - | wen n | | | | |
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| By Pur-Camant & Rmc(Address) Purchase 334 1.42.500 0C By Pur-Camant & Rmc(Address) Purchase 335 1.32,855 0C By Pur-Camant & Rmc(Address) Purchase 330 1.45,160 0C By Pur-Cament & Rmc(Address) Purchase 332 1.45,160 0C By Pur-Cament & Rmc(Address) Purchase 339 1.45,160 0C By Pur-Cament & Rmc(Address) Purchase 339 15,810 0L By Pur-Cament & Rmc(Address) Purchase 340 15,810 0L By Pur-Cament & Rmc(Address) Purchase 342 15,610 0L By Pur-Cament & Rmc(Address) Purchase 343 15,610 0L By Pur-Cament & Rmc(Address) Purchase 344 17,840 0 By Pur-Cament & Rmc(Address) Purchase 346 6,33,380 0 By Pur-Cament & Rmc(Address) Purchase 347 13,300 0 By Pur-Cament & Rmc(Surriso) Purchase 340 1,32,200 0 By Pur-Cament & Rmc(Surriso) Purchase 340 1,32, | | | | | | | | 17,840.00 | |
| By Pur-Cement & Rmc(Address) Purchase 335 1.32,855.00 By Pur-Cement & Rmc(Address) Purchase 336 1.45,180.00 By Pur-Cement & Rmc(Address) Purchase 337 31,220.00 By Pur-Cement & Rmc(Address) Purchase 338 49,060.01 By Pur-Cement & Rmc(Address) Purchase 339 15,810.01 By Pur-Cement & Rmc(Address) Purchase 341 15,610.01 By Pur-Cement & Rmc(Address) Purchase 342 15,610.01 By Pur-Cement & Rmc(Address) Purchase 343 16,610.01 By Pur-Cement & Rmc(Address) Purchase 344 17,840.00 By Pur-Cement & Rmc(Address) Purchase 345 15,855.00 By Pur-Cement & Rmc(Address) Purchase 340 31,220.0 By Pur-Cement & Rmc(Address) Purchase 340 31,220.0 By Pur-Cement & Rmc(Address) Purchase 340 31,220.0 By Pur-Cement & Rmc(Address) Purchase 350 74,705.0 | | | | | | | | | P |
| By Pur-Cement & Rmc(Address) Purchase 337 31,220 00 By Pur-Cement & Rmc(Address) Purchase 338 49,060 00 By Pur-Cement & Rmc(Address) Purchase 339 15,810 01 By Pur-Cement & Rmc(Address) Purchase 340 15,810 01 By Pur-Cement & Rmc(Address) Purchase 341 15,610 00 By Pur-Cement & Rmc(Address) Purchase 342 15,610 00 By Pur-Cement & Rmc(Address) Purchase 343 16,610 00 By Pur-Cement & Rmc(Address) Purchase 344 17,840 0 By Pur-Cement & Rmc(Address) Purchase 345 16,955 0 By Pur-Cement & Rmc(Address) Purchase 347 13,380 0 By Pur-Cement Rmc (Sunrise) Purchase 340 1,32,200 0 By Pur-Cement Rmc (Sunrise) Purchase 340 1,32,200 0 By Pur-Cement & Rmc(Address) Purchase 350 74,705 0 <td< td=""><td>By Pur-Cement & Rmc(Address)</td><td>Purchase -</td><td>10.1</td><td></td><td>335 -</td><td></td><td></td><td></td><td></td></td<> | By Pur-Cement & Rmc(Address) | Purchase - | 10.1 | | 335 - | | | | |
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| By Pur-Cement & Rmc(Address) Purchase 339 15,810.01 By Pur-Cement & Rmc(Address) Purchase 340 15,810.01 By Pur-Cement & Rmc(Address) Purchase 341 15,610.01 By Pur-Cement & Rmc(Address) Purchase 342 15,610.01 By Pur-Cement & Rmc(Address) Purchase 343 15,800.01 By Pur-Cement & Rmc(Twin Tower) Purchase 346 6,33,080.0 By Pur-Cement Rmc (Sunrise) Purchase 340 31,220.0 By Pur-Cement & Rmc(Address) Purchase 350 74,705.0 Carried Over, Purchase 516 13,380.0 By Pur-Cer | By Pur-Coment & Rmc(Address) | and an and a second sec | | | | | | | ÷ |
| By Pur-Cement & Rmc(Address) Purchase 341 15,610.0t By Pur-Cement & Rmc(Address) Purchase 342 15,610.0t By Pur-Cement & Rmc(Address) Purchase 343 16,610.0t By Pur-Cement & Rmc(Address) Purchase 344 17,840.0t By Pur-Cement & Rmc(Address) Purchase 345 15,610.0t By Pur-Cement & Rmc(Address) Purchase 344 17,840.0t By Pur-Cement & Rmc(Address) Purchase 345 15,610.0t By Pur-Cement & Rmc(Address) Purchase 345 15,610.0t By Pur-Cement & Rmc(Address) Purchase 345 15,610.0t By Pur-Cement & Rmc(Address) Purchase 346 6,33,080.0t By Pur-Cement Rmc (Sunrise) Purchase 340 31,220.0t By Pur-Cement & Rmc(Address) Purchase 350 74,705.0t By Pur-Cement & Rmc(Address) Purchase 515 13,380.0t By Pur-Cement & Rmc(Address) Purchase 516 13,380.0t By Pur-Cement & Rmc(Address) Purchase 519 31,220.0t By Pur-Cement & Rmc(Address) Purch | By Pur-Cement & Rmc(Address) | | | | | | | | |
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| By Pur-Cement & Rmc(Address) Purchase 344 17,840 0 By Pur-Cement & Rmc(Address) Purchase 365 16,855 0 By Pur-Cement & Rmc(Twin Tower) Purchase 345 16,855 0 By Pur-Cement & Rmc(Twin Tower) Purchase 347 13,380 0 By Pur-Cement & Rmc (Sunrise) Purchase 340 31,220 0 By Pur-Cement Rmc (Sunrise) Purchase 340 1,33,230 0 By Pur-Cement & Rmc(Address) Purchase 350 74,705 0 27-2013 To Axis Banc(Address) Purchase 515 13,380 0 17-2015 By Pur-Cement & Rmc(Address) Purchase 516 13,380 0 By Pur-Cement & Rmc(Address) Purchase 516 13,380 0 By Pur-Cement & Rmc(Address) Purchase 519 31,220 0 By Pur-Cement & Rmc(Address) Purchase 519 31,220 0 By Pur-Cement & Rmc(Address) Purchase 520 <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>5 E I</td> | | | | | | | | | 5 E I |
| By Pur-Cement & Rmc(Address) Purchase 345 16,855.0 By Pur-Cement & Rmc(Twin Tower) Purchase 346 6,33,080.0 By Pur-Cement & Rmc (Twin Tower) Purchase 347 13,380.0 By Pur-Cement & Rmc (Sunrise) Purchase 340 31,220.0 By Pur-Cement & Rmc (Sunrise) Purchase 340 1,33,280.0 By Pur-Cement & Rmc (Address) Purchase 350 74,705.0 By Pur-Cement & Rmc(Address) Purchase 515 13,380.0 By Pur-Cement & Rmc(Address) Purchase 515 13,380.0 By Pur-Cement & Rmc(Address) Purchase 516 13,380.0 By Pur-Cement & Rmc(Address) Purchase 516 31,220.0 By Pur-Cement & Rmc(Address) Purchase 519 31,220.0 By Pur-Cement & Rmc(Address) Purchase 510 31,220.0 By Pur-Cement & Rmc(Address) Purchase 520 31,220.0 | By Pur-Cament & Rmc(Address) | Purchase | | | | | | 17,840.0 | |
| By Pur-Cement & Rmc(Twin Tower) Purchase 347 13,380.0 By Pur-Cement&Rmc Purchase 347 13,380.0 By Pur-Cement Rmc (Sunrise) Purchase 340 31,220.0 By Pur-Cement Rmc (Sunrise) Purchase 340 1,33,280.0 By Pur-Cement & Rmc(Address) Purchase 350 74,705.0 By Pur-Cement & Rmc(Address) Purchase 515 13,380.0 By Pur-Cement & Rmc(Address) Purchase 515 13,380.0 By Pur-Cement & Rmc(Address) Purchase 516 13,380.0 By Pur-Cement & Rmc(Address) Purchase 516 13,380.0 By Pur-Cement & Rmc(Address) Purchase 519 31,220.0 By Pur-Cement & Rmc(Address) Purchase 520 31,220.0 By Pur-Cement & Rmc(Address) Purchase 520 31,220.0 By Pur-Cement & Rmc(Address) Purchase 520 31,220.0 By | By Pur-Cement & Rinc(Address) | | | - | | | | | |
| By Pur-Cament Rmc (Sunrise) Purchase 348 31,220.0 By Pur-Cament Rmc (Sunrise) Purchase 349 1,33,280.0 By Pur-Cament Rmc (Sunrise) Purchase 350 74,705.0 By Pur-Cament & Rmc(Address) Purchase 150,000.00 13,330.0 By Pur-Cament & Rmc(Address) Purchase 515 13,380.0 By Pur-Cament & Rmc(Address) Purchase 516 13,380.0 By Pur-Cament & Rmc(Address) Purchase 516 13,380.0 By Pur-Cament & Rmc(Address) Purchase 519 31,220.0 By Pur-Cament & Rmc(Address) Purchase 519 31,220.0 By Pur-Cament & Rmc(Address) Purchase 520 31,220.0 By | By Pur-Coment & Rmc(Twin Tower) | Purchase - | | | | | | | |
| By Pur-Cement Rmc (Sunrise) Purchase 340 1,33,230.0 By Pur-Cement & Rmc (Address) Purchase 350 74,705.0 By Pur-Cement & Rmc (Address) Purchase 350 74,705.0 17-2013 To Axis Bank (\$12020032063493) Payment 1074 15,00,000.00 17-2013 By Pur-Cement & Rmc (Address) Purchase 515 13,380.0 By Pur-Cement & Rmc (Address) Purchase 516 13,380.0 By Pur-Cement & Rmc (Address) Purchase 516 31,220.0 By Pur-Cement & Rmc (Address) Purchase 520 31,220.0 By Pur-Cement & Rmc (Address) Purchase 520.0 52,820,825.0 | By Pur-Coment&Rmc | | | | | | | | |
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| 1.172015 By Pur-Cement & Rmc(Address) Purment 515 13,380.0 By Pur-Cement & Rmc(Address) Purchase 516 13,380.0 By Pur-Cement & Rmc(Address) Purchase 516 13,380.0 By Pur-Cement & Rmc(Address) Purchase 516 13,380.0 By Pur-Cement & Rmc(Address) Purchase 519 31,220.0 By Pur-Cement & Rmc(Address) Purchase 520 31,220.0 By Pur-Cement & Rmc(Address) Purchase 520 31,220.0 Carried Over 32,12,410.00 62,80,625.0 62,80,625.0 | By Pur-Cament & RenelAddreas | | | | | | | | |
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| By Pur-Cement&Rmc Purchase 520 - 31,220,0 By Pur-Cement & Rmc(Address) Purchase 520 - 31,220,0 Carried Over | | | | | | | | | |
| By Pur-Cement & Rmc(Address) Purchase 520 - 31,220 g Carried Over | | | | | 519 | | | | |
| Carried Over | By Pur-Coment & Revoladdent | | | | 520 - | | | | |
| Carried Over | | 1770-1889-1 | | | | 32.12 | 10.00 | Sites de té | |
| centinued | Carried Over, | | | | - 77 | - TRUE | | electoriza r | 1.000 |
| | | | | | | | | continued | |
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| | 22.11 | | | | |
|---|--|------------------------|--------------|-------------------|------------------|
| | Northway Spaces Limited | Ku 2017 | | A 1.14 | Page |
| | Northway Spaces Limited NCC CONCRETE Ledger Account : 1-Jan-2001 I Postculars | Ush Tunp | Vch No. | Debit | |
| 3 | Ogle Particulars | ADU LADE | | 32,12,410.00 | 62,80,823.0 |
| 2 | Brought Forward | | | | 5,690.0 |
| | | Purchase | 521 - | | 31,220.0 |
| | and Dy Dur Coment & Hinc(Augress) | Purchase | 522 | | 15,610.0 |
| | Du Dux Coment & HIDGINGGIGERI | Purchase | 523 | | 26,760.0 |
| | By Dur-Cement & Rmc(Address) | Purchase | 524 | | -24,530.0 |
| | ou Pur Cement & Rmc(Accress) | Purchase | 525 | | 36,795. |
| | The Deer Company & HENCIADD 19991 | Purchase | 520 | | -18,955. |
| | By Pur-Cement & Rmc(Address) By Pur-Cement & Rmc(Address) | Purchase | 527 | | 14,495. |
| | Du Due Coment & Rmc(Address) | Purchase | - 529- | | 31,220. |
| | But But Coment & RIDELADDIESS | Purchase | 530 | | 21,185. |
| | The Company & Rmc(Add(955) | Purchase | 531 | | 17,840 |
| | m. mus Coment & RITCIADDITES | Purchase | 532 | | 49,680. |
| | By Pur-Cement & Rmc(Address) | Purchase | 533 | | 5,575 |
| | By Pur-Cement & Rmc(Address) By Pur-Cement & Rmc(Address) | Purchase | 634 _635 | | 16,725. |
| | 2 Penel Address | Purchase | 536 | | 10,035. |
| | | Purchase | 537 | | 13,380 |
| | E Prograding State | Purchase - | 538 | | 31,220 |
| | A Desc Address | Purchase | - 539 | | 35,680. |
| | By Pur-Cement & Rmc[Address] | Purchase | 540 | | 9,520 |
| É | the state of the s | Purchase | 541 | | 1,22,650. |
| | A A A A A A A A A A A A A A A A A A A | Purchase - | 542 | | 99,960. |
| | IN THE PERSON & RMC MILLENIUM | Purchase | - 543 544 | | 54,740 |
| | By PUR CEMENT & RMC MILLENIUM By PUR CEMENT & RMC MILLENIUM | Purchase | -545 | | 2,33,240 |
| | By PUR CEMENT & AMO INCLUSION | Purchase, | 540 | | 2,49,900 |
| | By Pur-Cemant Bag D / | Purchase | B47 | | 1,83,260. |
| | By Pur-Cement Bag [] | Purchase | - 548 | | 66,900 |
| | By PUR CEMENT & RMC MILLENIUM | Purchase | 549 | | - 33,320 |
| | By PUR CEMENT & RMC MILLENIUM | Purchase | - 550 | | * 1,33,800 |
| | By PUR CEMENT & RMC MILLENIUM By PUR CEMENT & RMC MILLENIUM | Purchase | 1329 | 10.00,000.00 | 112223001 |
| l | | Payment | -709 | THE PARTY OF | - 21,185 |
| ł | THE PROPERTY & RMC MILLENIVIE | Purchase | 711 | | - 9,520 |
| l | By PUR CEMENT & RMC MILLENIUM | Purchase - | -712 | | 1,80,880 |
| ł | Dr. Dr. Camant Bad | Parchess | . 719 | En l'anne i suite | -48,830 |
| ł | DU DUD CEMENT & RMC MILLENIUM | Purchase | 714 | | 8,920 -33,320 |
| ł | D. Due Company & Rmc(Address) | Purchase | -715 | | 17,840 |
| ł | DU DUD CEMENT & RMC MILLENION | Purchase | -716 | | 6,920 |
| Į | Du due Compat & Rmc(Address) | Purchase | -717- | | 31,220 |
| ł | B. Box Pamaint & Brtc([Will (QWel) | Purchase | 718 | | 6,690 |
| 1 | BU DEED CEMENT & RMC MILLEPEIDER | Purchase | 720 | | 3,47,480 |
| Į | By Pur-Cement & Rmc(Address) | Purchase | 721 | | 20,070 |
| | By Pur-Cement & Rmc(Address) By Pur-Cement & Rmc(Address) | Purchase | 722 | | 15,610 |
| | | Purchase | -723 | | 46,830 |
| | DU DUD PETIENT & RMC SILLENIUM | Purchase | - 724 | | 45,830 |
| ł | 5. GHO PERKENT & RMC MILLENIUM | purchase · purchase | 726 | | 6,690 |
| J | By PUR CEMENT & RMC MILLENDOM | purchase | -727- 729 | | 8,920 |
| J | By Pur-Cement & Rmc(Address) | Purchase | | - | -7,805 |
| | By Pur-Cement & Rmc(Address) | Purchase | 729* | | 8,920 |
| | Py Pyr.Comont & Rmc(Address) | Purchase | 730 | | 5,33,120 |
| | By Por-Coment & Rmc(Address) | Purchase | _731 | 15,00,000.00 | |
| 1 | D. D. March Harry H. | payment | 1605 | 14,95,000,00 | 11,150 |
| | 6-51015 To Auto Provis (Reported 1063683) | purchase | .662 | | -1,16,620 |
| 1 | 1-0-2013 By Pur-Ceinent & Rmc(Address) | Purchase | | Stansal Isaa | |
| | and the construction of the second second | | | 27 13 140 00 | 95,74,168 |
| | By Pur-Coment & Rmc(Address) | | | 57,12,410.00 | |

| (1) | 1 | | | | |
|--|--|-----------------|----------------|-----------------------------|----------------------------|
| 47 | L Contraction of the second | | | | |
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| 1 | ** | | | | 121 |
| | Northway Spaces Limited | | | | |
| 1 | Mbc concrete Ledger Account : 1-Jan-2001 to 10 Date Particulars Volt | 2ct-2017 ype | Vch No | Debit | Page Cred |
| 一般 | Brodght Forward | | | 57,12,410,00 | |
| 4 | 3-13-2013 By Pur-Cement Rmc (Sunrise) Purch | 192 | 98: | | 1,16,620.0 |
| 18 | By Pur-Coment & Rmc(Address) Purch | | -98 | | 8,920.0 |
| 1.2 | By Pur-Cement & Rmc(Address) Purch 4-10-2013 To Axis Bank (912020032663493) Paym | | 985 | | 18,955.0 |
| 1.02 | To Axis Bank (912020032063493) Paymi | | 2016 | and a state of a state of a | |
| 1000 | 10-10-2013 By PUR CEMENT & RMC MILLENIUM Purch | | -1028 | | 33,450,00 |
| (A) | 12-7-13 - By PUR CEMENT & RMC MILLENIUM Purch | | - 1020 | | 33,450.00 |
| 28 | By PUR CEMENT & RMC MILLENIUM Purch | | 1030 | | 8,920.00 |
| - 23 | By Pur-Cement & Rmc(Address) Purch | 80 — | 1033 | | 24,530.00 |
| 1 | By Pur-Cement & Rmc(Twin Tower)" Purch By Pur-Cement & Rmc(Address) Purch | | -1034 | () (m | 15,610.00 |
| 1 | By PUR CEMENT & RMC MILLENIUM Purcha | | 1035 | 1 | 25,645.00 |
| | By Pur-Cement & Rmc(Address) Purcha | | - 1037 | ÷ | # 16,600.00 -24,530.00 |
| 一 | 84443 By PUR CEMENT & RMC MILLENIUM Purcha By PUR CEMENT & RMC MILLENIUM Purcha | | 1038 | | 99,960.00 |
| た | BY PUR CEMENT & RMC MILLENDING TO THE | | - 1030 1040 | 100 | 1,92,780.00 |
| 1.8 | Purclament & Rime/Address Purcha | | 1208 | and the second second | 44,600.00 |
| - | By Pur-Gement & Rinc(Twin Tower) Purcha 9140-2013 To AXIS BANK C.C. AVC (913030044457854) Paymer | | -1200- | | 5.16,460,00 |
| 1 | By AXIS BANK C.C. A/C (913030344457854) Received | <i>.</i> | 2473 656 | 10,00,000.00 | *0.00.000.00 |
| 10 | CONTROLS BY PUR-CEMENT & RMC (ERLAVYA) Purchas | g | - 1321- | | 10,00,000.00 |
| 100 | 22.11.2013 By Pur-Cement & Rmc(Address) Purchas | | 1322 | | 5,16,460.00 |
| - #P | 22-11-2013 By PUR-CEMENT & RMC (EKLAVYA) Purchas By Pur-Cement & Rmc(Address) Purchas | | 1334 | | 6,690.00 |
| - 33 | By Pur-Gement & Rmc(Address) Purchas By Pur-Gement & Rmc(Address) Purchas | | -1335 | | 11,150.00 |
| 化 | By Pur-Cement & Rmc(Address) Purchas | | 1337 | | 46,830.00 |
| 語 | By Pur-Cement & Rmc(Address) Purchas | | 1338 | | 21,185.00 |
| 21 | By Pur-Cement & Rmc(Abdress) Purchas By PUR CEMENT & RMC MILLENIUM Purchas | | 1339 | - | 20,070.00 |
| 1 | #Y PUR-CEMENT & RMC [EKLAVYA] Purchas | | - 1341 | Fr. 6 | 13,380,00 |
| 14 | By Pur-Cament & Rmc(Address) Purchase 25-11-2013 By PUR-CEMENT & RMC (EKLAVYA) Purchase | | 1342 | THE R. LEWIS CO. | 27,875.00 |
| 22 | 3-12-2013 TO ANS BANK C.C. A.C. 1911120 MALASTACE Paument | | - 1358 2850 | 10,00,000.00 | 3 345 00 |
| 1 | 4-12-2013 By PUR CEMENT & RMC MILLENIUM Purchase | | -1411 | 10,00,000.00 | - 3,345.00 |
| 100 | By Pur -Cement&Rmc Purchase | | 1412 | | 28,990.00 |
| 21 | By Pur-Cement Bag [] Purchase 14-13-2013 By Pur-Coment Rmc (Sunrise) Purchase | | 1413 | | 3,16,540.00 |
| and a | Terris 1] Du Burn official a price (countie) | | - 1505 | | 54,740.00 |
| and the second s | By PUR CEMENT & RMC MILLENIUM Purchase | | 1506 | | 13,380.00 |
| - 20 | 19-12-2013 By PUR-CEMENT & RMC (EKLAVYA) Purchase | | -4527 | | - 66,640 00 - 15,610 00 |
| 1 | By PUR CEMENT & RMC MILLENIUM Purchase | | 1528 | | 40 140 00 |
| No. | By PUR-GEMENT & RMC (EKLAVYA) Purchase | | 1529 | (m. 1997) | 1,09,270.00 |
| 1 | By PUR-CEMENT & RMC (EKLAVYA) Purchase | _ | 1530 | 2.4 | 95.890.00 |
| | By PUR CEMENT & RMC MILLENIUM Purchase 30-12-2013 To Axis Bank (912020032063493) Payment | | 1532 3207 | | 1,23,760.00 |
| 120 | Purchase Purchase Purchase | | 1741 | 10,00,000.00 | 3,345.00 |
| 1 | By PUR CEMENT'S RMC MILLENIUM Purchase | | -1742- | | 2.61,800.00 |
| 1 | By PUR CEMENT & RMC MILLENIUM Purchase | | 1743 | | 28,990.00 |
| who - | WARDIN 10 AND MANY INTERACTIONS AND A COMPANY | | 1744 + | 0.33,528.00 | 1,62,790.00 |
| 4 | | | 1040 | Treeten MU | 3,33,200.00 |
| 1 | 6-3-2014 By PUR CEMENT & RMC MILLENIUM Purchase | | 1943 1951 | | 2.38,000.00 |
| 3.1 | | | 2123 | | 83,300 00 |
| 21 | BY PUK CEMENT & RMC MILLENIUM Purchase | | 2124 | | 2.16.500.00 |
| and and | By Pur-Cement Bag [] Purchase | | 2125 | | 1,46,370.00 |
| 1 | a character and the contract of the contract o | | 1000 | | |
| 10 | Carried Over | | _13 | 3,46,238.00 1.5 | 0,31,243.00 |
| 120 | | | and the second | *** **** | continued |

| | | | | 89 | |
|---|---|--------------------|--------------|---------------------------|---------------------------------|
| | Northway Spaces Linines | | | | 10.0 |
| | MCC CONCRETE Ledger Account : 1-Jan-2001 to 10-Oct-201 Date Particulars | | | | 122 |
| | 1/ch Tune | 7 | | | 10220000 |
| | Brought Forward | | Vch A | lo. Deb | Page 6 |
| | 29-3-2014 By DUD CENENT | | 10.1 | 1,23,46,238.0 | Great |
| | 29-3-2014 By PUR CEMENT & RMC MILLENIUM Purchase | - | | | 1.50,31,243.00 |
| | Valuate By PUR CEMENT & Directory Purchase | | - 21 | 545 | - 22,300.00 |
| | By PUR CEMENT & RMC MILLENIUM Purchase By PUR CEMENT & RMC MILLENIUM Purchase | 1144 | -213 | | 16,725.00 |
| | | | 212 | | 1,83,260.00 |
| | | | 213 | | - 26,180.00 |
| | | 64 - ₂₂ | - 213 | | -3,33,200.00 |
| | | | 213 | | - 6,690.00 |
| | | | - 213 | 4 | 76,160.00 |
| | By Pur Comon Da HMC MILLENIUM Purchase | | 2173 | | -2,80,600.00 |
| | By PUR CEMENT & RMC MILLENIUM Purchase | | 2174 | | -1.19,600.00 |
| | Purchase | | 2175 | | 6,04,900.00 |
| | To Closing B-1 | | 21/0 | · | 1,79,400.00 |
| | To Closing Balance | | | 1,23,46,238.00 | 1,68,95,868.00 |
| | 10000000000000000000000000000000000000 | | | 45,49,630.00 | 1,00,00,000,00 |
| | 1-4-2014 By Opening Balance | | | 1,68,95,868.00 | 1,68,95,868.00 |
| | 10-10-2014 BV PUR CEMENT & DATE AND | | | | ALC: NOT COMPANY AND ADDRESS OF |
| | 11-10-2014 To Axis Bank (912020032063493) Payment | | -1138 | | 45,49,630.00 |
| | | | 2359 | 615 H. H. H. H. H. | -2,97,5' 20 |
| 2 | | 1.00 | 1148 | 8,00,000.00 | |
| | 14-10-2014 By Pur-Cement & Rmc(Twin Tower) Payment 15-10-2014 By PUR-Cement & Rmc(Twin Tower) Purchase | | 2375 | , 7,00,000.00 | 21,250.00 |
| | 15-10-2014 By PUR CEMENT & RMC(Twin Tower) Purchase 17-10-2014 By PUR CEMENT & RMC MULENIUM Purchase | | 7162 | | 13,050.00 |
| | 17-10-2014 By PUR CEMENT & RMC MILLENIUM Purchase 19-10-2014 By PUR CEMENT & RMC MILLENIUM Purchase | - ° . | 1171 1179 | | 3,25,125.00 |
| | 19-10-2014 By PUR CEMENT & RMC MILLENIUM Purchase 20-10-2014 By PUR CEMENT & RMC MILLENIUM Purchase | | 1191 | | 3,23,000.00 |
| | 20-10-2014 By PUR CEMENT & RMC MILLENIUM Purchase 10-12-2014 To Axis Bank (912020032063493) Payment | | -1193 | - 22 ₁₀ - 474 | 1,78,500.00 |
| | 28-2-2015 To Kotak Mahindra Bank (08/12/80000303) Payment | | 2944 | 5,00,000.00 | 1,93,375.00 |
| | Payment | | · 3797 | 10,00,000.00 | |
| | | | - | | |
| | To Closing Balance | | | 30,00,000.00 | 59,01,430.00 |
| | | 33 | - | 29,01,430.00 59,01,430.00 | |
| | 1-4-2015 By Opening Balance | | | 00,01,430.00 | 59,01,430.00 |
| | 5-11-2015 To Kotak Mahindra Bank (08412180000303) Payment | | | and the second second | 29,01,430.00 |
| | Reven manifula bank (00412180000303) Payment | | 1868 | ,12,00,000.00 | - Association (100353) |
| | To Closing Balance | | | 12.00.000.00 | 29,01,430.00 |
| | To Closing Balance | | | 17,01,430.00 | 20,01,430.00 |
| | 14 2040 - | | | | 29,01,4' 10 |
| | 1-4-2016 By Opening Balance | | | | 17,01,430.00 |
| | 1-4-2016 By PUR CEMENT & RMC MILLENIUM Purchase | | 1 | | 1,50,000.00 |
| | By PUR CEMENT & RMC MILLENIUM Purchase | | 2. | | 1,37,700.00 |
| | | | | | 19,89,130.00 |
| | To Closing Balance | | 1 | 19,89,130.00 | 19,99,199,00 |

١.,

17. From the above referred ledger account maintained by the respondent we hold that as on 31/03/2017, operational debt Rs. 19,89,130/- was due and payable and has not yet been paid.

18. Hon'ble Supreme Court, in the case of Mobilox Innovations Pvt. Ltd. (Supra) held that what is the scope of ascertaining the existence of a dispute at the time of admitting the Application, which is as follows:- "it is clear, therefore, that once the operational creditor has filed an application, which is otherwise complete, the adjudicating authority must reject the application under Section 9(5)(2)(d) if notice of dispute has been received by the operational creditor or there is a record of dispute in the information utility. It is clear that such notice must bring to the notice of the operational creditor the "existence" of a dispute or the fact that a suit or arbitration proceeding relating to a dispute is pending between the parties. Therefore, all that the adjudicating authority is to see at this stage is whether there is a plausible contention which requires further investigation and that the "dispute" is not a patently feeble legal argument or an assertion of fact unsupported by evidence."

19. Now, we have considered whether there is a pre-existing dispute between the parties. As per the respondent, the appellant has delivered goods to Mayfair Corporate Park but erroneously sent invoices dated 15/07/2013and 18/10/2013 bearing nos. 661 and 360 amounting to Rs. 05,33,120/and 05,16,460/-. The respondent has no connection with Mayfair Corporate Park, therefore they have returned the invoices to the appellant. According to *Company Appeal (AT) (Ins) No. 527 of 2020*

the appellant, the Mayfair Corporate Park is a construction project developed by Mayfair Spaces Ltd. (respondent) and thus they are associated entities. Therefore, the disputed invoices were rightly sent to the respondent.

21. As we have noted that the appellant is relying on the ledger account maintained by the respondent. In this ledger account the amount of disputed invoices are not shown. Therefore, we hold that there is no dispute between the parties in regard to the aforesaid invoices. Thus, we do not agree with the finding of ld. Adjudicating Authority that there is a pre-existing dispute between the parties.

22. Now, we have considered the objection of ld. counsel for the respondent that the claim is barred by limitation. The ledger account is a running account which shows that on 05/11/2015, the respondent has made payment of Rs. 12 lacs to appellant and from this date of acknowledgment within three years, that is on 15/01/2018 the application is filed. Thus, the application is within period of limitation. We agree with the finding of the Adjudicating Authority that the application is filed within the period of limitation.

23. Ld. Adjudication Authority while examining the application under Section 9 of I&B Code has not considered the ledger account filed by the appellant. The statement shows that there is an outstanding due of Rs. 19,89,130/- on 31/03/2017. There is no pre-existing dispute. The Adjudicating Authority erroneously rejected the claim on the ground that the claim raised by the appellant falls within the ambit of disputed claim.

24. From the record, as we find that the respondent has failed to pay more than Rs. 1 lac and in absence of any pre-existing dispute and the record being *Company Appeal (AT) (Ins) No. 527 of 2020*

complete, we hold that the application under section 9 of I&B Code preferred by the appellant was fit to be admitted.

25. For the reasons aforesaid, we set aside the impugned order dated 12/02/2020 and remit the case to the Adjudicating Authority for admitting the application under Section 9 of I&B Code after notice to the Corporate Debtor to enable the Corporate Debtor to settle the matter prior to admission.

26. The appeal is allowed with the aforesaid observations and directions. No costs.

> [Justice Jarat Kumar Jain] Member (Judicial)

> > [Balvinder Singh] Member (Technical)

NEW DELHI 22nd January, 2021. SC