

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
Company Appeal (AT) (Insolvency) No. 109 of 2021**

In the matter of:

Sushil Kaudinya

....Appellant

Vs.

Construmart online Pvt. Ltd.

....Respondent

Present:

Appellant: Mr. Krishnendu Datta, Mr. Ankur Singhal, Advocates.

Respondent:

ORDER

(Through Virtual Mode)

15.02.2021: Application of Respondent- Operational Creditor under Section 9 of the Insolvency and Bankruptcy Code, 2016 came to be admitted in terms of the impugned order dated 1st February, 2021 passed by the Adjudicating Authority (National Company Law Tribunal), New Delhi (Court No.IV), rejecting the plea of dispute raised by the Corporate Debtor as a moonshine and keeping in view the admission of the Corporate Debtor to the extent of Rs. 15 lakhs being in default.

2. The issue raised in this appeal is limited to post admission development as regards a settlement having been reached between the parties in pursuance whereof Appellant claims to have been paid some amount as part payment and Rs.10,75,000/- remaining outstanding in respect whereof a demand draft is stated to have been prepared by the Appellant and copy placed on record of appeal paper book.

3. Issue notice upon Respondent. Appellant to provide mobile Nos./ e-mail address of the Respondent. Notice be issued through e-mail or any other available mode. Requisites along with process fee be filed within three days.

Contd/-.....

List the appeal 'for admission (after notice)' on 3rd March, 2021.

Meanwhile, COC if not constituted, shall not be constituted till next date of hearing.

**[Justice Bansi Lal Bhat]
Acting Chairperson**

**[Dr. Ashok Kumar Mishra]
Member (Technical)**

AR/g