

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 1064 of 2020

In the matter of:

Orator Marketing Pvt. Ltd.

....Appellant

Vs.

Samtex Desinz Pvt. Ltd.

....Respondent

Present:

Appellant: Mr. Arvind Kr. Gupta, Mr. Lzafeer Ahmed, Advocates.

Respondent: Mr. Anirudh, Advocate

ORDER

(Through Virtual Mode)

15.12.2020: Apart from other questions, the issue raised in this appeal preferred against dismissal of Appellant's application under Section 7 of the Insolvency and Bankruptcy Code, 2016 in terms of the impugned order on the ground that the claim of Appellant does not fall within the ambit of financial debt, is that the Corporate Debtor has acknowledged the debt in terms of the mail dated 18th February, 2020 and pleaded adverse circumstances and financial difficulty in discharging the debt obligations.

Issue notice upon Respondent. Notice on behalf of Respondent is waived and accepted by Mr. Anirudh, Advocate. No further notice need be issued to him. Reply affidavit may be filed by the Respondent within 2 weeks. Rejoinder, if any, be filed within 2 weeks thereof.

Contd/-.....

Written submissions not exceeding three pages may also be filed by the parties along with the pleadings supported by the relevant case law.

List the appeal 'for admission (after notice)' on 12th January, 2021.

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

**[Justice Anant Bijay Singh]
Member (Judicial)**

AR/g