

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) (Insolvency) No. 222 of 2021

In the matter of:

M/s. Advance Engineering Services

....Appellant

Vs.

The Baroda Rayon Corporation Ltd.

....Respondent

Present:

**Appellant: Ms. Sheetal Prakash and Mr. Durga Prasad Halwai,
Advocates.**

Respondent:

ORDER
(Through Virtual Mode)

23.03.2021: Application of the Appellant filed under Section 9 of the Insolvency and Bankruptcy Code, 2016 (for short 'the I&B Code') came to be rejected as it was filed beyond the period of limitation. The impugned order dated 27th January, 2021 passed by the Adjudicating Authority (National Company Law Tribunal), Ahmedabad Bench, Court-1 is assailed primarily on the ground that the Respondent Company acknowledged debts due to the Appellant on numerous occasions from 2006 onwards and last acknowledgement was made on 21st October, 2015, thus the claim is within the period of limitation.

Issue notice upon Respondents. Requisites along with process fee with email address and mobile phone numbers of Respondent may be provided within three days. Let Notice be served through any available mode.

Cont'd.../

Post the matter 'for admission (after notice)' on **15th April, 2021**.

[Justice Bansi Lal Bhat]
Acting Chairperson

[Dr. Ashok Kumar Mishra]
Member (Technical)