

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 1452 of 2019

IN THE MATTER OF:

Sadashivam Balaji

...Appellant

Vs

Cura Healthcare Pvt. Ltd.

...Respondent

Present:

For Appellant: Mr. Anandh K. and Mr. Raunak Verma, Advocates.

For Respondent:

ORDER

16.12.2019: This appeal has been preferred by the Appellant against the order dated 24th October, 2019 passed by the Adjudicating Authority (National Company Law Tribunal), Division Bench, Chennai whereby application under Section 9 preferred by Appellant for initiation of Corporate Insolvency Resolution Process against M/s Cura Healthcare Pvt. Ltd. was dismissed.

2. Mr. K. Anandh, Learned counsel appearing on behalf of the Appellant submits that subsequently another application under Section 9 against the same Corporate Debtor has been admitted by the Adjudicating Authority, Division Bench Chennai on 9th December, 2019 in 'R. Gomathi' Vs. 'Cura Healthcare Private Limited'.

3. In the circumstances, there is no question of entertaining application under Section 9 by any other Operational Creditor including the Appellant. The Appellant may file its claim before the Interim Resolution Professional.

4. The appeal stands disposed of with aforesaid observation. No costs.

[Justice S. J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

[Justice Venugopal M.]
Member (Judicial)

am/gc