

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Company Appeal (AT) (Insolvency)No. 132 of 2020**

**IN THE MATTER OF:**

**C R Badrinath**

**.....Appellant**

**Vs.**

**M/s Eight Capital India(M) Ltd. & Anr.**

**.....Respondents**

**Present :**

**For Appellant:**

**Mr. K.Datta, Mr. Ravi Raghunath, Mr. Rahul Gupta,  
Mr. Sivaraman, Ms. Aakash Lodha, Advocates**

**O R D E R**

**24.01.2020** - The issue raised in this appeal is that the '*Financial Debt*' claimed by the Respondent / 'Financial Creditor' was *barred by limitation* on the date of initiation of 'Corporate Insolvency Resolution Process'. Reference in this regard is made to part-IV of form - I (at page - 246) of the paper book wherein date of default is shown as starting from 31.12.2007.

Let notice be issued on the Respondents by speed post. Requisites along with process fee, if not filed, be filed by 27<sup>th</sup> January, 2020. If the Appellant provides the E-mail Address of the Respondent, let notice be also issued through E-mail.

....contd.

In the meantime, the Interim Resolution Professional (IRP) will ensure that the company remains going concern and the manufacturing and production of the company do not suffer; payment of wages to the employees/workmen and supplied during Resolution Process shall be made on time. The Insolvency Resolution Professional will take aid of (suspended) Board of Directors, paid Directors, officers and the employees of the Corporate Debtor. The Banks having account of the corporate debtor will also cooperate with the Resolution Professional to ensure compliance of this order.

List the matter for 'admission'(after notice) on **13<sup>th</sup> February, 2020.**

[ Justice Bansi Lal Bhat ]  
Member (Judicial)

[Justice Venugopal M.]  
Member (Judicial)

[Justice Anant Bijay Singh]  
Member (Judicial)

ss/nn

**Company Appeal (AT) (Insolvency)No. 132 of 2020**