

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**  
**Company Appeal (AT) (Insolvency) No. 880 of 2020**

**IN THE MATTER OF:**

**Sri D. Srinivasa Rao**

**....Appellant**

**Vs**

**Vaishnovi Infratech Ltd.**

**....Respondent**

**Present:**

**For Appellant: Mr. Krishan Dev Jagarlamudi, Advocate.**

**For Respondent:**

**ORDER**  
**(Through Virtual Mode)**

**13.10.2020:** The issue raised in this appeal is that application of Appellant – Operational Creditor under Section 9 of I&B Code rejected on the ground that the demand notice was returned unserved thereby not entitling the Appellant – Operational Creditor to file application under Section 9 for initiation of Corporate Insolvency Resolution Professional of the Corporate Debtor is unsustainable as the Corporate Debtor had refused to accept the demand notice which amounted to service of notice.

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.

List the appeal ‘for admission (after notice)’ on **25<sup>th</sup> November, 2020.**

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

**[V. P. Singh]**  
**Member (Technical)**

**[Shreesha Merla]**  
**Member (Technical)**

*am/gc*