

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Ins) No.1435 of 2019

IN THE MATTER OF:

Sameer Gulati

...Appellant

Versus

Salasar Techno Engineering Ltd.

...Respondent

For Appellant:

**Shri Ratan Kumar Singh, Shri Fanish Kumar Rai,
Shri Manoj Kumar and Shri Rajeev Gurung,
Advocates**

For Respondent:

**Shri Ajay Garg and Ms. Akansha Meena,
Advocates
Shri Anurag Bhatt and Shri Lokesh Pathak,
Advocates (for IRP)**

ORDER

24.01.2020 Heard Counsel for Appellant, learned Counsel for Respondent – Operational Creditor and Advocate – Shri Anurag Bhatt for the Interim Resolution Professional (IRP).

Learned Counsel for the Appellant refers to e-mails (Annexure I – Page 138) to say that there was pre-existing dispute before Section 8 Notice dated 7th May, 2019 was sent. It is stated that still the Appellant is ready to settle the whole claim as made by the Operational Creditor before the Adjudicating Authority (National Company Law Tribunal, New Delhi Bench VI), subject to the Operational Creditor completing the works of the last Tower No.24. The learned Counsel for the Respondent states that he will take instructions from the Operational Creditor.

Learned Counsel for IRP states that there is only one claim received from a Financial Creditor – RBL Bank and COC (Committee of Creditors) has been constituted. He says that no other claims from the Financial Creditors

have been received, but there are two Operational Creditors including present Respondent No.1.

The Counsel for IRP states that the bank has stated that the account of Corporate Debtor is not NPA but the bank states that they had approached because of the initiation of the CIRP process.

List the Appeal in 'Orders category' on 30th January, 2020.

[Justice A.I.S. Cheema]
Member (Judicial)

[Kanthi Narahari]
Member (Technical)

/rs/md