

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 894 of 2020

IN THE MATTER OF:

I&B Engineers (P) Ltd.

...Appellant

Versus

Scorpio Engineering Pvt. Ltd.

...Respondent

**Present: For Appellant : Mr. Anirudh Wadhwa, Mr. Bhargav Thali and
Mr. Rohit Sharma, Advocates**

O R D E R

(Through Virtual Mode)

19.10.2020 Mr. Anirudh Wadhwa, Advocate representing the Appellant (Operational Creditor) submits that the impugned order dismissing the Appellant's application under Section 9 of the 'I&B Code' cannot be sustained inasmuch as the 'Corporate Debtor' has admitted its liability and issued post-dated cheques whereunder an amount of Rupees Thirty-five Lakhs has been paid. However, one post-dated cheque bounced for "insufficient funds". That apart, the Corporate Debtor has not replied to the 'Demand Notice' thereby raising no dispute.

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 **3rd December, 2020.**

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

**[Justice Jarat Kumar Jain]
Member (Judicial)**

**[Dr. Ashok Kumar Mishra]
Member (Technical)**

/ns/gc/