

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

**Company Appeal (AT) (Insolvency) No. 727 of 2019**

**IN THE MATTER OF:**

**Mr. Jafer Ali**

**...Appellant**

**Versus**

**Amit Naidu & Anr.**

**...Respondents**

**Present:**

**For Appellant :**

**Mr. Nishanth Patil, Advocate**

**For Respondent :**

**Mr. Salim A. Inamdar and Mr. Ravi Sehgal,  
Advocates for 1<sup>st</sup> Respondent**

**O R D E R**

**26.07.2019** Learned counsel for the appellant submits that there is an 'existence of dispute' and the services of the respondents were terminated. This apart, according to him, there is no 'debt' payable in the eyes of law.

Let notice be issued on the respondents by Speed Post.

Mr. Salim A. Inamdar, Advocate appears on behalf of 1<sup>st</sup> Respondent. He is allowed to file reply-affidavit along with Vakalatnama within 2 weeks. Rejoinder, if any, be filed by the Appellant within 2 weeks thereof.

Let notice be issued on 2<sup>nd</sup> Respondent. Requisite along with process fee, if not filed, be filed by 29<sup>th</sup> July, 2019. If the appellant provides the *e-mail* address of the 2<sup>nd</sup> respondent, let notice be also issued through *e-mail*.

Post the case 'for Admission (After Notice)' on **30<sup>th</sup> August, 2019**. *Dasti* service is permitted.

In the meantime, the 'Interim Resolution Professional' will ensure that the company remains going concern and will take assistance of the (suspended) Board of Directors and the officers/ Directors/employees. The

person who is authorised to sign the bank cheques may issue cheques but only after approval of the 'Interim Resolution Professional'. The bank account of the 'Corporate Debtor' be allowed to be operated for day-to-day functioning of the company such as for payment of current bills of the suppliers, salaries and wages of the employees'/workmen electricity bills etc.

[Justice S.J. Mukhopadhaya]  
Chairperson

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

[ Kanthi Narahari ]  
Member (Technical)

/ns/gc