

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**  
**Company Appeal (AT) (Insolvency) No. 29 of 2021**

**In the matter of:**

**Pioneer Engineered Facility Management Services  
Pvt. Ltd**

**....Appellant**

**Vs.**

**Medeor Hospital Ltd.**

**....Respondent**

**Present:**

**Appellant: Mr. Saurabh Kalia, Mr. Aaryan, Ms. Itisha Gulati,  
Advocates.**

**Respondent:**

**ORDER**

**(Through Virtual Mode)**

**21.01.2021:** Having regard to the fact that the lockdown in the wake of outbreak of COVID-19 Pandemic was declared on 23<sup>rd</sup> March, 2020 and in *suo moto* proceedings limitation has been exempted, this appeal has been filed within time.

The issue raised in this appeal preferred against dismissal of application filed under Section 9 of the Insolvency and Bankruptcy Code, 2016 by the Appellant- Operational Creditor vide impugned order dated 3<sup>rd</sup> March, 2020 passed by the Adjudicating Authority (National Company Law Tribunal), New Delhi Bench, on the ground of existence of dispute is that the compliance of the terms of commercial issues are not labor dues, it being pointed out by Mr. Saurabh Kalia, learned counsel for the Appellant that no dispute was raised with respect to the invoices and the impugned order cannot be sustained.

Contd/-.....

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 two days.

List the appeal 'for admission (after notice)' on 19<sup>th</sup> February, 2021.

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

**[Kanthi Narahari]  
Member (Technical)**

**[Dr. Alok Srivastava]  
Member (Technical)**

***AR/g***