

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 524 of 2020

IN THE MATTER OF:

IDBI Capital Markets & Securities Ltd.

...Appellant

Versus

JBF Petrochemicals Ltd.

...Respondent

Present:

For Appellant: Ms. Pratiksha Sharma and Mr. Kunal, Advocates.

For Respondent: Mr. Shikhil Suri and Ms. Komal, Advocates.

O R D E R
(Through Virtual Mode)

09.06.2020 Having heard learned counsel for the Appellant and being satisfied of the ground projected, we condone delay of 9 days in preferring the instant appeal. I. A. No. 1333 of 2020 stands disposed of.

The issue raised in this appeal is that no dispute was existing with regard to service provided by the Appellant – Operational Creditor and such dispute was raised for the first time only in reply to the demand notice. Learned counsel for the Appellant submits that the finding recorded with regard to pre-existence of dispute is erroneous.

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Issue notice upon Respondent. Notice on behalf of the Respondent is accepted by Mr. Shiv Kumar Suri who has already filed caveat petition in terms of Dy. No. 19489. Caveat is discharged. Reply affidavit be filed by the Respondent within four weeks. Rejoinder, if any, be filed within two weeks thereof.

List the matter on **24th July, 2020**.

[Justice Bansi Lal Bhat]
Acting Chairperson

[Justice Jarat Kumar Jain]
Member (Judicial)

[Ms. Shreesha Merla]
Member (Technical)

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