

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Ins.) No. 354 of 2020

IN THE MATTER OF:

Rajpal Singh Solanki

....Appellant

Vs.

Quazar Infrastructure Pvt. Ltd. & Anr.

....Respondents

Present:

For Appellant: Mr. Virender Ganda, Sr. Advocate with Mr. Vipul Ganda, Mr. Vishal Ganda, Mr. Ayandeb Mitra and Ms. Shreya Jain, Advocates

For Respondents:

O R D E R

28.02.2020: Learned Counsel for the Appellant submits that there was a pre-existing dispute before issuance of demand notice in terms of Section 8 (1) of the I&B Code, 2016.

Reference has been made to the reply to demand notice to demonstrate that apart from dispute raised in regard to rendering of services, counter claim was set up.

Let notice be issued on Respondents by Speed Post. Requisites along with process fee, if not filed, be filed by tomorrow. If the Appellant is able to ascertain the email address of Respondents, he may file the same and notice may be issued through email as well.

Dasti Service is also permitted.

Meanwhile, Interim Resolution Professional shall not make a public announcement and shall not constitute the 'Committee of Creditors' till the next date of hearing. However, the 'Interim Resolution Professional' will

ensure that the company remains going concern and will take assistance of the (suspended) Board of Directors. The persons who are working will perform their duties including the paid Directors. The person who is authorised to sign the bank cheques may issue cheques only after authorisation of the 'Interim Resolution Professional'. The bank account(s) 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.

List this appeal 'For Admission (After Notice)' on **27th March, 2020**.

[Justice Bansi Lal Bhat]
Member (Judicial)

[V. P. Singh]
Member (Technical)

[Alok Srivastava]
Member (Technical)

sa/nn