

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 903 of 2020

In the matter of:

Victor Vanya Bandlamudi

....Appellant

Vs.

Mercados Energy Markets India Pvt. Ltd.

....Respondent

Present:

Appellant: Mr. Arun Saxena and Ms. Nalini, Advocates.

Respondent: Mr. Sourav Roy and Mr. Kaushal Sharma, Advocates for Caveator.

ORDER
(Through Virtual Mode)

20.10.2020: The issue raised in this appeal is that application of Appellant- 'Operational Creditor' under Section 9 of the Insolvency and Bankruptcy Code, 2016 has been dismissed by the Adjudicating Authority (National Company Law Tribunal), New Delhi, Bench-VI, overlooking the fact that the bonus payment was not included in full and final settlement of Appellant's claim.

Issue notice upon Respondent. Notice on behalf of Respondent is waived and accepted by Mr. Sourav Roy, Advocate. Learned counsel for the Appellant shall provide a complete set of appeal paper book to learned counsel for the Respondent during the course of day. Reply affidavit be filed within two weeks.

Contd/-.....

Rejoinder, if any, may be filed by the Appellant within two weeks thereof.

Written submissions/ Bullet Points not exceeding three pages may be filed by the parties along with their pleadings.

List the appeal 'for admission (after notice)' on 7th December, 2020.

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

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

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

AR/g