

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 962 of 2019

IN THE MATTER OF:

Uniexcel Developers Pvt. Ltd.

...Appellant

Versus

Uniexcel Limited

...Respondent

Present:

For Appellant :

**Mr. Abhijeet Sinha, Mr. Saurabh Kalia, Mr. Palash
Agarwal and Mr. Siddharth Tandon, Advocates**

O R D E R

19.09.2019 Having heard learned counsel for the Appellant and being satisfied with the grounds, the delay of 9 days in preferring the appeal is condoned.

I.A. No. 2916 of 2019 stands disposed of.

The question arises for consideration in this appeal is as to whether the observations made by the Adjudicating Authority (National Company Law Tribunal), New Delhi, Bench-II while rejecting the application observations made against the Appellant (Corporate Debtor) were uncalled for while deciding the application under Section 7 of the I&B Code filed by the Respondent – ‘Uniexcel Limited’.

Let notice be issued on the Respondent by Speed Post. Requisite along with process fee, if not filed, be filed by 20th September, 2019. If the Appellant provides the *e-mail* address of Respondent, let notice be also issued through *e-mail*.

Post the case 'for Admission (After Notice)' on **25th October, 2019**.

Until further orders, the operation of the impugned order dated 25th July, 2019 directing the Appellant to repay the amount shall remain stayed. However, the Appellant will act in accordance with law and for the said reason cannot take the advantage of the interim order.

[Justice S.J. Mukhopadhaya]
Chairperson

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

[Kanthi Narahari]
Member (Technical)

/ns/sk