

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Comp. App (AT) (Insolvency) No. 876 of 2020**

**IN THE MATTER OF:**

**Nitin Singh**

**...Appellant**

**Versus**

**Waves Bio-tech Pvt. Ltd.**

**...Respondent**

**Present:**

**For Appellant :**

**Mr. Partho Bhattacharya, Advocate**

**O R D E R**

**(Through Virtual Mode)**

**12.10.2020** The issue raised in this appeal against dismissal of application preferred by the Appellant under Section 9 of the 'I&B Code' against the Corporate Debtor is that the 'Demand Notice' was issued to Corporate Debtor via e-mail on registered ID mentioned in its master data and even a notice of dispute was received from the Corporate Debtor in response thereto. Thus, the impugned order of dismissal/rejection cannot be sustained.

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 three days.

List the appeal 'for Admission (After Notice)' on **23<sup>rd</sup> November, 2020**

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

**[ Justice Anant Bijay Singh ]  
Member (Judicial)**

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

**/ns/gc/**