

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**  
**Company Appeal (AT) (Insolvency) No. 1090 of 2020**

**In the matter of:**

**UCO Bank**

**....Appellant**

**Vs.**

**Xenitis Infotech Ltd.**

**....Respondent**

**Present:**

**Appellant: Mr. Rana Mukherjee, Senior Advocate with Mr. Partha Sil, Mr. Tavish B. Prasad, Ms. Daisy Hannah, Advocates.**

**ORDER**

**(Through Virtual Mode)**

**22.12.2020:** Application under Section 7 of the Insolvency and Bankruptcy Code, 2016 filed by the Appellant- Financial Creditor before the Adjudicating Authority (National Company Law Tribunal), Kolkata Bench, Kolkata, came to be dismissed as being barred by limitation.

One of the issues raised in this appeal is that there being an acknowledgment on the part of the Corporate Debtor, in writing, within three years of filing of application under Section 7, dismissal on the ground of application being hit by limitation 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 one week.

Condt/-.....

Mr. Rana Mukherjee, Senior Advocate representing the Appellant submits that he has prepared a compilation of Judgments/ legal provisions which he wants to rely upon. He is permitted to file the same.

List the appeal 'for admission (after notice)' on 27<sup>th</sup> January, 2021.

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

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

**[Shreesha Merla]  
Member (Technical)**

*AR/g*