

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 459 of 2020

IN THE MATTER OF:

Promila Taneja

...Appellant

Versus

Surendri Design Pvt. Ltd.

...Respondent

Present:

For Appellant : **Mr. Hitesh Sachar and Ms. Srishti Badhwari,**
Advocates

ORDER

20.03.2020 Apart from other questions, the issue raised in this appeal is that the application under Section 9 of the I&B Code filed by the Appellant – Operational Creditor could not have been dismissed on the ground of ‘pre-existing dispute’ as pending suit referred to in the impugned order assailed in this appeal has been filed after initiation of the ‘corporate insolvency resolution process’.

Let notice be issued on the Respondents by Speed Post. Requisites along with process fee be filed by 25th March, 2020. If the Appellant provides the *e-mail* address of respondents, let notice be also issued through *e-mail*.

List the matter ‘for Admission (After Notice)’ on **27th April, 2020**.

[Justice Bansi Lal Bhat]
Acting Chairperson

[Shreesha Merla]
Member (Technical)

/ns/gc/