

**National Company Law Appellate Tribunal, New Delhi**

**Principal Bench**

**Company Appeal (AT) (Ins) No. 719 of 2020**

**IN THE MATTER OF:**

**Ranjeet Singh**

**...Appellant**

**Vs.**

**M/s. Karan Motors Pvt. Ltd.**

**...Respondent**

**With**

**Company Appeal (AT) (Ins) No. 721 of 2020**

**IN THE MATTER OF:**

**Shally Sati**

**...Appellant**

**Vs.**

**M/s. Karan Motors Pvt. Ltd.**

**...Respondent**

**With**

**Company Appeal (AT) (Ins) No. 722 of 2020**

**IN THE MATTER OF:**

**Deepa Sati**

**...Appellant**

**Vs.**

**M/s. Karan Motors Pvt. Ltd.**

**...Respondent**

**With**

**Company Appeal (AT) (Ins) No. 723 of 2020**

**IN THE MATTER OF:**

**Hansa Dutt Sati**

**...Appellant**

**Vs.**

**M/s. Karan Motors Pvt. Ltd.**

**...Respondent**

**....contd.**

**With**  
**Company Appeal (AT) (Ins) No. 728 of 2020**

**IN THE MATTER OF:**

**Asha Devi** **...Appellant**

**Vs.**

**M/s. Karan Motors Pvt. Ltd.** **...Respondent**

**Present:**

**For Appellant:** **Mr. Rahul Kumar and Mr. Shrey Vardhan Rateria, Advocates.**

**For Respondent:** **Mr. Chandra Shekhar Gupta, Advocate.**

**ORDER**

**(Through Virtual Mode)**

**28.01.2021:** These Appeals arises out of the common order passed by the Learned 'NCLT', New Delhi Bench-V who by their Order dated 18.02.2020 dismissed the application u/s 9 of the IBC Code filed by the Appellants against 'Karan Motors Pvt. Ltd.' in IB No. 702/ND/2019.

2. From the perusal of the Impugned Order, it appears that the grievance raised by the Appellants including payment of arrears of salary and gratuity etc. claiming to be an 'Operational Debt' and the Appellants claiming to be the 'Operational Creditor' have filed Section 9 application before the Tribunal.

3. Heard the Learned Counsel for the Appellants in all the matters.

...contd.

4. Learned Counsel for the Appellants on the next date will address this Tribunal on the question of law formulated hereunder whether the Appellant admittedly the employees of 'Karan Motors Pvt. Ltd.' (Respondent herein), have dispute regarding non-payment of salary and gratuity etc., instead invoking the jurisdiction of Industrial Tribunal/Labour Court, claiming themselves to be 'Operational Creditor' can file an application u/s 9 of the IBC Code, before the 'NCLT' for payment of their alleged '*Operational Debt.*'

List these Appeal(s) on **3<sup>rd</sup> March, 2021.**

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

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

ss/sr/nn