

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 152 of 2018

IN THE MATTER OF:

Acquisory Consulting LLP

...Appellant

Vs

BCC Infrastructure Pvt. Ltd.

....Respondent

Present:

**For Appellant: Mr. Arun Kathpalia, Senior Advocate assisted by
 Mr. Rajesh P, Mr. Prashant Jain and Mr. Samaksh
 Goyal, Advocates.**

For Respondents:

ORDER

23.04.2018: According to the Appellant, the original contract was reached between M/s Acquisory India Consulting Pvt. Ltd. with M/s BCC Infrastructure Pvt. Ltd. (Corporate Debtor). Later on after re-organisation of M/s Acquisory India Consulting Pvt. Ltd. and formation of M/s Acquisory Consulting LLP (Appellant), the assignment with regard to service were given to the Appellant. Pursuant to such assignment, the appellant provided services to M/s BCC Infrastructure Pvt. Ltd. (Corporate Debtor) and bills were raised. In this background, the Appellant claims to be the 'Operational Creditor' of the Respondent – 'Corporate Debtor'. It is submitted that the Adjudicating Authority has failed to appreciate the aforesaid fact and rejected the application filed under Section 9 of the I&B Code.

Let notice be issued on the respondent by speed post. Requisites alongwith process fee be filed by tomorrow. If the Appellant provides email addresses of the Respondent, let notice also be sent through email.

Post the case 'for admission' on **9th May, 2018**.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

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