

NATIONAL COMPANY LAW APPELLATE TRIBUNAL,
NEW DELHI

Company Appeal (AT) (Ins) No. 13 of 2017

IN THE MATTER OF:

M/s. PS Toll Road Limited Appellant

Vs.

**M/s. International Toll Dynamics
South Asia Pvt. Ltd Respondent**

Present:

**For Appellant: -Mr. Sanjay Sen, Senior
Advocate and Mr Hasan Murtaza,
Advocate.**

ORDER

06.04.2017 — Ld. Counsel for the Appellant produced photocopy of certified copy of impugned order dated 31st March, 2017 passed by National Company Law Tribunal, Mumbai Bench, Mumbai (hereinafter referred to as Tribunal). The same be kept on record.

He further states that the Appellant is ready to pay the total dues of the operational creditor M/s. International Toll Dynamics South Asia Pvt. Ltd without prejudice to the rights of the Appellant.

In view of the statement made by Ld. Counsel for the Appellant and the fact that till date no Insolvency Resolution Professional has been appointed, we allow the Appellant to bring this fact to the notice of the National Company Law Tribunal, Mumbai Bench, Mumbai where C.P. No. 41/I&BP/NCLT/MAH/2017 is pending. In such case the Tribunal will allow the appellant to pay the total dues to the operational creditor M/s. International Toll Dynamics South Asia Pvt. Ltd by 11th April, 2017 and on satisfaction the Tribunal may close the proceeding.

In the meantime let notice be issued to Respondents by Speed Post. Requisites with process fee, if not filed, be filed by tomorrow. If e-mail address of the Respondent is supplied by the Appellant, let notice be also issued through email.

Appellant will file additional affidavit enclosing the Certified Copy of the impugned order dated 31st March, 2017. Post the matter on 17th April, 2017.

As we have allowed the Appellant to pay the dues of Operational Creditor till 11th April, 2017, the Tribunal will not appoint Insolvency Resolution Professional.

Sd/-
(Justice S.J. Mukhopadhaya)
Chairperson

Sd/-
(Mr. Balvinder Singh)
Member (Technical)

RC