

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL**  
**NEW DELHI**

**Company Appeal (AT) (Insolvency) No. 130 of 2017**

**IN THE MATTER OF:**

**Sysco Industries Limited**

**...Appellant**

**Versus**

**Ecoplast Ltd.**

**...Respondent**

**Present:**

**For Appellant :**           **Shri Ashok Jain, Shri Amit Kasera, Advocates and  
Shri Dhiren R. Dave, PCS**

**For Respondent :**       **Shri Harshit Agarwal, Advocate**

**O R D E R**

**09.08.2017**       Learned counsel for the appellant submits that quality of goods supplied by the 'Operational Creditor' was sub-standard, therefore the request for payment dues were rejected in the year 2016, which has been noticed by the Adjudicating Authority, but in spite of the same, the application under Section 9 of the Insolvency and Bankruptcy Code, 2016 preferred by the appellant - 'Operational Creditor', has been admitted..

Shri Harshit Agarwal, Advocate accepts notice on behalf of the respondent.  
No further notice need be issued to the respondent.

Respondent is allowed ten days' time to file reply. Rejoinder, if any, be filed within a week thereof.

Post the matter on 31<sup>st</sup> August, 2017. The appeal may be disposed of at the stage of admission.

In the meantime, Interim Resolution Professional (IRP) will ensure that the company remains on going and the manufacturing and production of the company do not suffer, payment of wages to the employees/workmen are made on time and if any material is supplied during corporate resolution process, the payment must be paid to the supplier/creditor. If so necessary, the Insolvency Resolution Professional will take aid of (suspended) Board of Directors. The Bank having account of the corporate debtor will also cooperate with the Insolvency Resolution Professional to ensure compliance of this order.

[Justice S.J. Mukhopadhaya]  
Chairperson

[Balvinder Singh]  
Member (Technical)