

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

**Company Appeal (AT) (Ins) No.141 & 146 of 2017**

**IN THE MATTER OF:**

**Muskan Power Infrastructure Ltd**

**...Appellant**

**Vs**

**Sunrise 14 A/S, Denmark**

**...Respondent**

**Present: Mr. Manoj Swarup with Mr. Ankit Swarup and Mr. Soheb Rahman, Advocates for the appellant.  
Mr. Arun Kathpalia, Sr.Advocate, Mr. Yohaam Limathwalla,  
Mr. Manish K Jha, Advocates for the Respondent.**

**ORDER**

22.08.2017- Learned counsel for the appellant submits that the respondent failed to produce any record of evidence of default in terms of Section 7(3)(a) of the Insolvency and Bankruptcy Code, 2016. In this regard we have also noticed the same in Part V of Form 1 filled up by the respondent, financial creditor, at Page 129.

Mr. Manish K Jha, Advocate accepts notice on behalf of the respondent. They will reply within 10 days as to why the Court will not interfere with the impugned order in view of the alleged incomplete record as pointed out by the appellant. Rejoinder within 3 days thereof. Post the matter on 14<sup>th</sup> September, 2017.

(Justice S.J. Mukhopadhyaya)  
Chairperson

(Mr. Balvinder Singh)  
Member (Technical)