

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 158 of 2017

IN THE MATTER OF

Jord Engineers India Limited

... Appellant

Vs.

Valia & Company

... Respondent

Present: For Appellant: - Mr. Pallav Shishodia, Senior Advocate, Mr R.M. Singh, Mr Rajiv Kumar and Mr D.P. Mohanty, Advocates.

ORDER

31.08.2017 – One of the ground taken by the Appellant is that notice on behalf of Operational Creditor under Section 8 of the Insolvency & Bankruptcy Code, 2016 was issued by their lawyer. No demand was made for 7 years as the Appellant was undergoing rigor of Sick Industrial Companies Act, 1985

Let notice be issued on Respondent by Speed Post. Requisites, if any, along with process fee, if not filed, be filed by tomorrow. If the Appellant provides e-mail address of the Respondent, let notice be also issued through e-mail. Post the matter on 15th September, 2017.

In the meantime, the Interim Resolution Professional, if appointed, will ensure that the company remains on-going and if so necessary may take assistance of the suspended Board of Directors. The bank account, if operated, should be operated for day-to-day functioning of the company, its project and for payment of bills to the suppliers. Payment of salaries and wages of the employees/workmen and others should also be made.

Prayer for interim relief rejected.

(Justice S.J. Mukhopadhaya)
Chairperson

(Mr. Balvinder Singh)
Member (Technical)