

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

**Company Appeal (AT) (Insolvency) No. 469 of 2018**

**IN THE MATTER OF:**

**Ranajit Das & Ors.**

**...Appellants**

**Vs**

**MSX Mall Pvt. Ltd. & Anr.**

**....Respondents**

**Present:**

**For Appellants: Mr. Arvind Kumar Gupta and Mr. Abhishek Goyal,  
Advocates.**

**For Respondents:**

**O R D E R**

**21.08.2018:** Learned counsel for the Appellant submits that only Article 137 (Part II) of Limitation Act, 1963 is applicable for the application under Section 7 of the Insolvency and Bankruptcy Code, 2016 (for short 'I&B Code'). The I&B Code has come into force since 1<sup>st</sup> December, 2016 therefore the application under Section 9 cannot be held to be barred by limitation.

Let notice be issued on Respondents by Speed Post. Requisites alongwith process fee, if not already filed, be filed by day after tomorrow i.e. 23<sup>rd</sup> August, 2018. If the Appellant provides email address of the Respondents, let notice be also issued through email.

Post the case 'for admission' on **20<sup>th</sup> September, 2018.**

[Justice S. J. Mukhopadhaya]  
Chairperson

[Justice A. I. S. Cheema]  
Member (Judicial)

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