

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

**Company Appeal (AT) (Insolvency) No. 497 of 2018**

**IN THE MATTER OF:**

**IFCI Ltd.**

**...Appellant**

**Vs**

**Golf Technologies Pvt. Ltd.**

**....Respondent**

**With**

**Company Appeal (AT) (Insolvency) No. 498 of 2018**

**IN THE MATTER OF:**

**IFCI Ltd.**

**...Appellant**

**Vs**

**Cedar Infonet Pvt. Ltd.**

**....Respondent**

**Present:**

**For Appellant: Mr. Ashok Kumar, Mr. Rishi Kumar, Dr. S. K. Gupta and Mr. Atishay Prasad, Advocates.**

**For Respondents:**

**O R D E R**

**29.08.2018:** Learned counsel appearing on behalf of the Appellant submits that the copy of the impugned order dated 31<sup>st</sup> May, 2018 was not communicated to the Appellant (Financial Creditor). It was uploaded on the website of the Adjudicating Authority on 27<sup>th</sup> June, 2018. When the Appellant came to know about the same, he applied for certified copy and then filed the appeal on 27<sup>th</sup> July, 2018, that is within time. In spite of the same if delay is calculated from the date of order, to be on the safe side, Appellant filed petition for condonation of delay.

Having heard learned counsel for the Appellant we find that both the appeals have been preferred by the Appellant within limited period of thirty days and there is not bar by limitation. I.A. No. 1289 of 2018 in Company Appeal (AT) (Insolvency) No. 497 of 2018 and I.A. No. 1292 of 2018 in Company Appeal (AT) (Insolvency) No. 498 of 2018 stands disposed of.

Learned counsel appearing on behalf of the Appellant referred to page 98 which is terms and conditions forming part of the letter of intent dated 23<sup>rd</sup> August, 2010 issued to 'M/s Cedar Infonet Private Limited' to show that 'M/s Cedar Infonet Private Limited' is the 'Principal Borrower' and Appellant is the 'Lender'. He further submitted that the Adjudicating Authority failed to notice the relevant documents.

Let notice be issued on Respondents in both of the appeals by Speed Post. Requisites alongwith process fee, if not already file, be filed by 31<sup>st</sup> August, 2018. If the Appellant provides email address of the Respondents in both of the appeals, let notice be issued through email also.

Post both the appeals 'for admission' on **26<sup>th</sup> September, 2018.**

[Justice S. J. Mukhopadhaya]  
Chairperson

[Justice Bansi Lal Bhat]  
Member (Judicial)

*am/uk*