

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**  
**Company Appeal (AT) (Insolvency) No. 508 of 2018**

**IN THE MATTER OF:**

**Centrum Capital Ltd.**

**...Appellant**

**Vs**

**Orient Green Power Ltd.**

**....Respondent**

**Present:**

**For Appellant:      Mr. Abhishek Sharma, Ms. Ashly Cherian and  
                                 Mr. Saahil Menon, Advocates.**

**For Respondent:    Ms. Pooja Saigal, Advocate.**

**ORDER**

**31.08.2018:**      Learned counsel for the Appellant submits that the Respondent has failed to bring on record any evidence to suggest that there is an existence of dispute since prior to 9<sup>th</sup> May, 2017 i.e. the date when notice under Section 8(1) was issued by the Appellant Operational Creditor. Further, according to him withdrawal of earlier application cannot be a ground to reject the subsequent application, if it is otherwise complete.

Let notice be issued on Respondent. Ms. Pooja Saigal, Advocate accepts notice on behalf of Respondent. No further notice needs to be issued. She may file reply affidavit with vakalatnama within 10 days. Rejoinder, if any, be filed by the Appellant within a week thereof.

Post the case 'for admission' on **27<sup>th</sup> September, 2018**.

Pendency of the appeal will not come in the way of the Respondent to settle the claim with the Appellant.

[Justice S. J. Mukhopadhaya]  
Chairperson

[Justice Bansilal Bhat]  
Member (Judicial)

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