

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

COMPANY APPEAL (AT) (INSOLVENCY) 314 OF 2017

IN THE MATTER OF:

Shaw Traders

.. **Appellant**

Vs

Balaji Paper & Newsprint Pvt. Ltd.

.. **Respondent**

O R D E R

13.12.2017 - In spite of repeated calls, nobody appeared on behalf of the Appellant.

2. From the impugned order we find that the Application preferred by the Appellant under Section 9 of Insolvency & Bankruptcy Code, 2016 has been rejected by the Adjudicating Authority in view of the decision passed by Hon'ble Supreme Court in the case- ***"Mobilox Innovation Private Ltd. Vs. Kirusa Software Private Ltd."***, there being a notice of dispute sent by the 'Corporate Debtor' to the 'Operational Creditor'. The Registry has also pointed out that the appeal is barred by limitation.

3. However, to give another opportunity, we adjourn the case. Post the matter on **15th December, 2017**.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

akc/unni