

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 322 of 2017

IN THE MATTER OF:

Sarash Exports Services Pvt. Ltd.

...Appellant

Versus

Toll Global Forwarding (India) Pvt. Ltd.

...Respondent

Present:

For Appellant : Ms. Gauri Rishi, Advocate

For Respondent : Shri Anuj Mirdha, Advocate

O R D E R

18.12.2017 Learned counsel for the appellant submits that before admission of the application under Section 9 of the Insolvency and Bankruptcy Code, 2016 (hereinafter referred to as the 'I & B Code'), no notice was issued to the appellant. In fact, no demand notice under sub-section (1) of Section 8 was served in the office of the Corporate Debtor as required under Rule 5 (2) of the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016.

Shri Anuj Mirdha, Advocate accepts notice on behalf of the respondent. No further notice need be issued on it. He may file reply by 3rd January, 2018 along with Vakalatnama.

Post the matter on 5th January, 2018. The appeal may be disposed of on the next date.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)