

Company Appeal (AT) (Insolvency) No. 323 of 2017

...Appellant

...Respondent

**For Appellant : Shri K. Datta, Shri Ashish Verma and Ms. Prachi
Johri, Advocates**

ORDER

18.12.2017 The question arises for consideration is whether the appellant is a 'Financial Creditor' within the meaning of sub-section (7) read with (8) of Section 5 of the Insolvency and Bankruptcy Code, 2016 in view of the agreement reached with the respondent and in the terms and conditions as mentioned at page 74 of the paper-book.

Let notice be issued on the respondent by Speed Post. Requisite along with process fee, if not filed, be filed by tomorrow i.e. 19th December, 2017. If the appellant provides the *e-mail* address of respondents, let notice be also issued through *e-mail*.

Post the matter on 10th January, 2018.

[Justice S.J. Mukhopadhyaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)