

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

**Company Appeal (AT) (Insolvency) No. 256 of 2017**

**IN THE MATTER OF:**

**Ravindra Gopal,  
Proprietor of AVON Capital**

**...Appellant**

**Versus**

**Tattva & Mittal Lifespaces Pvt.**

**...Respondent**

**Present:**

**For Appellant :                Mrs. Avnish Ahlawat and Shri Anuj Dewan,  
   Advocates**

**For Respondent :            Shri Aditya Thakkar and Shri Ranjit Shetty,  
   Advocates**

**O R D E R**

**19.12.2017**            The question arises for consideration in this appeal is whether retainer of a company comes within the meaning of 'Operational Creditor' for triggering the Corporate Insolvency Resolution process under Section 9 of the Insolvency & Bankruptcy Code, 2016.

Learned counsel for the parties prays for and is allowed to address the Appellate Tribunal on this issue.

Post the matter on 10<sup>th</sup> January, 2018.

[Justice S.J. Mukhopadhaya]  
Chairperson

[ Justice Bansilal Bhat ]  
Member (Judicial)