NATIONAL COMPANY LAW APPELLATE TRIBUNAL NEW DELHI

Company Appeal (AT) (Insolvency) No. 282 of 2017

IN THE MATTER OF:

Dolphin Offshore Enterprise (India) Ltd. ... Appellant

Versus

Instrumentation Ltd. & Anr. ... Respondents

Present:

For Appellant: Mr. Sharad Tyagi, Advocate For 1st Respondent: Mr. S. K. Mohanty, Advocate

For 2nd Respondent: Mr. Rakesh Wadhwa and Mr. Manish Jain,

Advocates

ORDER

12.02.2018 Prima facie, it appears that the dispute in regard to the Salestax payable to the Government of Maharashtra cannot be a ground to hold that there is an 'existence of dispute' between the appellant – Dolphine Offshore Enterprise (India) Limited and the 1st respondent – Instrumentation Limited. In fact the claim relates to services rendered by the appellant and there is nothing on record to suggest that the services has not been properly rendered. Learned counsel appearing on behalf of the 1st respondent – Instrumentation Limited submits that the matter will be discussed with the management and the respondent will make its stand clear on the next date.

Post the matter on 6th March, 2018 for final disposal.

In the meantime, it will be open to the parties to file their short written submissions not more than three pages.

[Justice S.J. Mukhopadhaya] Chairperson