

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insol.) No. 65 of 2017

IN THE MATTER OF:

Diamond Engineering (Chennai) Pvt. Ltd.Appellant

Vs.

Shah Brothers Ispat Pvt. Ltd. ...Respondent

**Present: For Appellant:- Shri A.K. Mylsamy, Senior Advocate
assisted by Ms. Shalini Kaul, Advocate.**

**For Respondent:- Shri S.N. Mookherjee, Senior
Advocate assisted by Ms. Pritha Srikumar, Shri Sulabh
Rewari and Ms. Neha Mathew, Advocates.**

ORDER

14.07.2017-

I.A. No. 329 of 2017 : A separate Interlocutory Application is not entertained as it is not maintainable. However, it will be open to the appellant to raise any question of law.

Interlocutory Application No. 329 of 2017 stands disposed of.

Company Appeal (AT) (Insol.) No. 65 of 2017 :

The appellant is allowed one week's time to file proper synopsis and additional affidavit giving details of 46 invoices relating to which objections were raised.

In the meantime, the respondents may file additional affidavit and reply and state whether in respect of 46 invoices for Rs.8,05,04,283/- goods were supplied or not and whether the invoices were genuine. We have noticed the allegations made by the appellant

that 46 invoices raised in respect of which goods were not supplied and those invoices were bogus which were set out in the counter affidavit filed by the appellant before the Adjudicating Authority.

Post the matter on 27th July, 2017.

(Justice S.J. Mukhopadhaya)
Chairperson

(Mr. Balvinder Singh)
Member(Technical)

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