

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 79 of 2017

IN THE MATTER OF:

Bhash Software Labs Pvt. Ltd.

...Appellant

Versus

Mobme Wireless Solutions Pvt. Ltd.

...Respondent

Present:

**For Appellants : Shri Shishir Amarnath and Shri Shoumendu Mukherji,
Advocates**

For Respondent: Ms. Haripriya Padmanabhan, Advocate

ORDER

28.07.2017 It is not in dispute that the impugned order admitting application u/s 9 of the Insolvency and Bankruptcy Code, 2016 (hereinafter referred to as the 'I&B Code') at the behest of the respondent – 'Operational Creditor' has been admitted without notice to the appellant – 'Corporate Debtor'. Learned counsel for the appellant in support of claim has also enclosed a letter dated 23rd September, 2016 and that dispute is in existence even prior to the issuance of notice u/s 8 of the I & B Code. It is also not clear from the record whether the notice issued by the respondent was a post-filing or pre-filing notice and whether any date of hearing of the case was shown therein. To make it clear, we allow

the respondent to file an additional reply enclosing the copy of the notice served on the appellant under Rule 4(3) of the Adjudicatory Authority Rules.

Post the matter on 21st August, 2017.

[Justice S.J. Mukhopadhaya]
Chairperson

[Balvinder Singh]
Member (Technical)