

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 342 of 2018

IN THE MATTER OF:

**Sandeep Anand
Director**

G.S. Express Private Limited

...Appellant

Vs.

APL Apollo Tubes Limited

...Respondent

**Present: For Appellant: -Mr. Jayant Mehta, Mr. Ankur Khandelwal
and Mr. Sajal Jain, Advocates.**

For Respondent:- Mr. Karan Gandhi, Advocate.

ORDER

05.07.2018— Learned counsel for the Appellant submits that before admission of the application under Section 9 of the Insolvency and Bankruptcy Code, 2016 (by impugned order), the parties settled the dispute and, therefore, there was no default.

2. Mr. Karan Gandhi, learned counsel appears on behalf of the Respondent- ('Operational Creditor') submits that settlement was reached prior to the admission of the petition and this was brought to the notice of the Adjudicating Authority (National Company Law Tribunal), who in spite of the same has admitted the application.

3. In the circumstances, we allow the Respondent to file a reply along with vakalatnama of the counsel by Monday i.e. 9th July, 2018.

Contd/-.....

4. Post the case 'for orders' on 10th July, 2018.

The appeal may be disposed of on the next date.

(Justice S.J. Mukhopadhaya)
Chairperson

(Justice Bansi Lal Bhat)
Member(Judicial)

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