

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 144 of 2018

IN THE MATTER OF:

Krishna Enterprises **...Appellant**

Vs

Gammon India Ltd. **....Respondent**

With

Company Appeal (AT) (Insolvency) No. 145 of 2018

IN THE MATTER OF:

Om Industrial Corporation **...Appellant**

Vs

Gammon India Ltd. **....Respondent**

With

Company Appeal (AT) (Insolvency) No. 146 of 2018

IN THE MATTER OF:

Swastik Enterprises **...Appellant**

Vs

Gammon India Ltd. **....Respondent**

With

Company Appeal (AT) (Insolvency) No. 147 of 2018

IN THE MATTER OF:

Orissa Sales **...Appellant**

Vs

Gammon India Ltd. **....Respondent**

With

Company Appeal (AT) (Insolvency) No. 148 of 2018

IN THE MATTER OF:

Pavan Enterprises

...Appellant

Vs

Gammon India Ltd.

....Respondent

Present:

For Appellant: Mr. G. K. Jain, Chartered Accountant.

**For Respondent: Mr. Rudreshwar Pratap Singh, Mr. Aniruddh Singh
and Mr. Prashant Kumar, Advocate.**

O R D E R

09.07.2018: In Company Appeal (AT) (Insolvency) No. 147 of 2018, there is a dispute about the debt. The Appellant – “Orissa Sales” (Operational Creditor) pleaded that they supplied hardware and electric goods to “Gammon India Ltd.” (Corporate Debtor) during the period 01.04.2012 to 20.11.2015. The Operational Creditor relied on the balance confirmation letter dated 20.11.2015 (at page 74) to suggest that the Corporate Debtor also accepted the dues.

The Adjudicating Authority noticed the stand taken by the Corporate Debtor that all those dues were paid. However, no evidence cited in the impugned order.

Mr. Rudreshwar Singh, learned counsel appearing on behalf of the Corporate Debtor submits that the amount was paid by RTGS and other

instruments. We allow him 10 days' time to file an affidavit showing the details of payment made in terms of confirmation letter dated 20.11.2015 (page 74).

Place the case 'for admission' on **27th July, 2018**.

All the other appeals will be taken on the same date. Reply may be filed by the Respondent (Corporate Debtor) in other appeals also.

[Justice S. J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

am/sk