

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

**Company Appeal (AT) (Insolvency) No. 400 of 2018
IN THE MATTER OF:**

**Susant Pujari , Promiotor/Director of Benzfab
Technologies Pvt. Ltd.**

...Appellant

Vs.

Swastika Steel and Allied Products Pvt. Ltd.

...Respondent

**Present: For Appellant: - Mr. Adarsh Tripathi, Mr. Abhay Gupta and
Mr. Gaurav Wadhwa, Advocates**

O R D E R

26.07.2018— Learned counsel for the appellant submits that Demand Notice under Section 8(1) of the Insolvency and Bankruptcy Code, 2016 (for short 'I & B Code' 2016) was served on 'Corporate Debtor' on 15th September 2017. Much prior to the said date there was an existence of dispute relating to materials as correct materials i.e. full set and for PSC poles were not supplied. Reliance has been placed on email dated 29th July 2017 (at page 89).

Let notice be issued on respondent by speed post. Requisite along with process fee, if not filed, be filed by tomorrow. If the Appellant provides the e-mail address of Respondent, let notice be also issued through e-mail.

Post the case on 8th August 2018 as first case after notice.

The appeal may be disposed of at the stage of admission.

Prayer for Interim Relief is rejected.

(Justice S.J. Mukhopadhaya)
Chairperson

(Justice Bansi Lal Bhat)
Member(Judicial)

sm/uk

