

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**

**Company Appeal(AT)(Insolvency) No. 321 of 2018**

**IN THE MATTER OF:**

**M/s Husqvarna AB(PUBL)**

**...Appellant**

**Vs**

**M/s Allianz Mechanisation India Private Limited**

**....Respondent**

**Present:**

**For Appellant: Mrs. Vanita Bhargava and Ms. Wamika Trehan,  
Advocates**

**ORDER**

**28.06.2018** Learned Counsel for the Appellant submits that the Adjudicating Authority rejected the application preferred by the Appellant ('Operational Creditor') under Section 9 of Insolvency and Bankruptcy Code, 2016 (hereinafter referred to as 'I&B Code') on the ground of 'existence of dispute' but failed to notice that the said 'existence of dispute' relates to some other supply and not with regard to the supply for which notice under Section 8(1) of I&B Code was issued.

Let notice be issued on Respondent both in the matter of petition for condonation of delay as well as appeal by Speed Post. Requisites along with process fee, if not filed, be filed by 29<sup>th</sup> June, 2018. If the Appellant provides the e-mail address of Respondent, let notice be also issued through e-mail.

Post the matter 'for Admission' on **20<sup>th</sup> July, 2018**. Pendency of the appeal will not come in the way of the Appellant to settle the claim.

[Justice S.J. Mukhopadhaya]  
Chairperson

[ Justice A.I.S. Cheema]  
Member (Judicial)

Akc/uk