

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**  
**Company Appeal(AT)(Insolvency) No. 37 of 2018**

**IN THE MATTER OF:**

**JAS Telecom Private Limited**

**...Appellant**

**Vs**

**Eolane Electronics Bangalore Pvt. Ltd**

**....Respondent**

**Present:**

**For Appellant:        Mr. Nikhil Swami, Mr. Abhijit Atur, Advocates and  
                                 Mr. K. Srinival, authoursied signatory of Appellant.**

**For Respondent:     Mr. S.P. Singh Chawla, Advocate**

**O R D E R**

**08.03.2018**        Learned Counsel for the Respondent (“Corporate Debtor”) submits that Insolvency Resolution Process has been initiated under Section 10 of Insolvency and Bankruptcy Code, 2016 and the ‘Corporate Debtor’ is not in a position to pay rent to the ‘operational creditor’. He also referred to Regulation 31(b) of The Insolvency and Bankruptcy Board of India (Insolvency Resolution Process for Corporate Persons) Regulations, 2016 to suggest that the rent to be included towards Insolvency Resolution Process costs.

In view of the stand taken by learned Counsel for the Respondent, learned Counsel for the Appellant sought for time to address this Appellate Tribunal on the question whether landlord can recover rent from tenant Corporate Debtor during moratorium or not.

Post the matter on **21<sup>st</sup> March, 2018**.

[Justice S.J. Mukhopadhaya]  
Chairperson

[Justice Bansilal Bhat]  
Member (Judicial)

*Akc/gc*