

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL**  
**NEW DELHI**  
**COMPANY APPEAL (AT) (Insolvency) NO.44 OF 2017**

**In the matter of:**

**Neelkanth Township & Constructions Pvt Ltd...Appellant**

**Versus**

**Urban Infrastructure Trustees Ltd ....Respondents:**

**Present: Mr Prateek Seksaria, Mr. Kush Chaturvedi, Mr. Aman Verma, Ms Anshula Grover, Ms Chaitrika Pathi, Ms. Smrit Churiwal, Advocates for Appellants.  
Ms Surekha Raman, Advocate for Respondent.**

**Order**

**04.05.2017-** Learned counsel for the appellant submits that respondent, financial creditor, has not submitted any record of default recorded with information utility as required under Section 7(3)(a) of Insolvency & Bankruptcy Code, 2016. He further submitted that no other record or document can be looked into as the Insolvency and Bankruptcy Board of India has not specified any document for the purpose of Section 7(3)(a) under Section 240(f) of the Insolvency & Bankruptcy Code, 2016. He places reliance on paragraph 12 of the impugned judgement to show that the other documents have been relied by the adjudicating authority which are not in consonance with the provisions of Section 7(3)(a) of Insolvency & Bankruptcy Code, 2016.

Let notice be issued on the respondent. Ms Surekha Raman, Advocate accepts notice on behalf of the respondent. They may file the reply affidavit within a week. Post the matter on 11<sup>th</sup> May, 2017.

2.

Until further orders the orders dated 21.4.2017 and 1<sup>st</sup> May, 2017 passed by Adjudicating Authority (National Company Law Tribunal) Mumbai Bench in CP No.69/I&BP/NCLT/MAH/2017 shall remained stayed. The adjudicating authority shall not proceed with the matter.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Mr. Balvinder Singh)  
Member (Technical)

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