

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI**  
**Company Appeals (AT) (Insolvency) No.55 of 2017**

**IN THE MATTER OF:**

**Gurcharan Singh Soni**

**...Appellant**

**Vs**

**Unitech Ltd & Ors**

**...Respondents**

**Present: Mr. G.K.Jain, Chartered Accountant for the appellant.**

**ORDER**

**25.05.2017-** According to the appellant, Consumer Redressal Commission, Chandigarh having passed the order on 3<sup>rd</sup> October, 2016 directing the respondent corporate debtor to return the amount with interest, compensation and litigation expenses. The amount comes within the meaning of "debt" and is due to the appellant-operational creditor and on default, the petition under Section 9 was maintainable.

It is further submitted that it was brought to the notice of the Adjudicating Authority that pursuant of notice issued under Section 8 of the Insolvency & Bankruptcy Code, 2016, no reply was filed by the corporate debtor, and the application in all aspect was complete.

Having heard learned counsel for the appellant we allow the appellant to delete the name of the adjudicating authority from the case title, issue notice to the Respondents by speed post. Requisites alongwith process fee, if not filed, be filed by tomorrow. If the appellant provides the e-mail address of the respondents, let notice be also issued through e-mail.

Post the matter on 1<sup>st</sup> June, 2017.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Mr. Balvinder Singh)  
Member (Technical)

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