

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 262 of 2018

IN THE MATTER OF:

IU International Holdings PTE Ltd.

...Appellant

Versus

**V. Nagarajan, R.P.
Of Cethar Limited**

...Respondent

Present:

**For Appellant : Mr. Arun Kathpalia, Senior Advocate assisted by
Mr. Pragyan Pradip Sharma, Ms. Anandini Kumari and
Mr. Samaksh Goyal, Advocates**

O R D E R

30.05.2018 Learned Senior Counsel submits that the 'Corporate Debtor' was supplied raw-material by M/s. Dynepro Pvt. Ltd., who received the material from G.B. Enterprises, the contractor appointed and funded by the appellant. The said material were supplied for the work of fabrication of drums and boilers by the 'Corporate Debtor' and therefore those material cannot be treated material owned by the 'Corporate Debtor' and order of moratorium will not be applicable on such materials. It is pointed out that the same plea has been taken by M/s. Dynepro Pvt. Ltd. in '*Company Appeal (AT)(Insolvency) No. 229 of 2018*' where notice has been issued by this Appellate Tribunal on 21st May, 2018.

In this background, let notice be issued on the respondent by Speed Post. Requisite alongwith process fee, if not filed, be filed by 31st May, 2018. If the appellant provides *e-mail* address of the respondents, let notice be also issued through *e-mail*.

Post the matter on 5th July, 2018 along with 'Company Appeal (AT) (Insolvency) No. 229 of 2018.

Until further orders, the Adjudicating Authority (National Company Law Tribunal), Chennai or the 'Resolution Professional' will not dispose of any of the material as claimed by the appellant without prior approval of this Appellate Tribunal.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

/ns/gc