

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insol.) No. 251 of 2017

IN THE MATTER OF:

Parmod Yadav & Anr.

...Appellants

Vs.

Divine Infracon Pvt. Ltd.

...Respondent

Present: For Appellants: - Shri Sakal Bhushan, Advocate

O R D E R

02.11.2017 — According to the appellants, they are rendering services to the Corporate Debtor being 'lessee', the provisions for which they are also charging service tax from the Corporate Debtor. In view of the aforesaid facts, the appellant being the Operational Creditor within the meaning of Sections 5(20) and 5(21) of the Insolvency and Bankruptcy Code, 2016, however, we find that the petition has been rejected by the Adjudicating Authority (National Company Law Tribunal) New Delhi.

Let notice be issued on the respondent by Speed Post. Requisite along with process fee, if not filed, be filed by tomorrow i.e. 3rd November, 2017. If the appellant provides the *e-mail* address of respondent, let notice be also issued through e-mail.

Post the matter on 20th November, 2017.

(Justice S.J. Mukhopadhaya)
Chairperson

(Justice Bansi Lal Bhat)
Member(Judicial)

ns/uk