

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL**  
**NEW DELHI**

**Company Appeal (AT) (Insolvency) No. 164 of 2017**

**IN THE MATTER OF :**

**United Projects Constructions Ltd.**

**...Appellant**

**Versus**

**Aerocon Buildwell Pvt. Ltd.**

**...Respondent**

**Present: For Appellant: Mr. Vivek Dalal, Advocate.**

**For Respondent: Mr. Manoj Munshi, Advocate.**

**ORDER**

**08.11.2017** – Learned counsel for the Respondent enclosed a letter dated 10<sup>th</sup> October, 2016 (Page No.81) to the reply, to suggest that they have disputed the claim. According to Appellant, this letter is subsequently manufactured by the Respondent after filing of the insolvency application under Section 9 of the Insolvency and Bankruptcy Code, 2016.

2. In this background, we direct the Respondent to file additional affidavit by 13<sup>th</sup> November, 2017 enclosing any evidence to suggest that so-called letter dated 10<sup>th</sup> October, 2016 was issued and served on the Appellant. In absence of any such evidence, it will be treated that no such letter was issued or served by the Respondent-‘Corporate Debtor’.

Contd/-....

3. Post the matter on 13<sup>th</sup> November, 2017.
4. The appeal may be disposed of on the next date.

(Justice S.J. Mukhopadhaya)  
Chairperson

(Justice A.I.S. Cheema)  
Member (Judicial)

(Balvinder Singh)  
Member(Technical)

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