

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) No. 151 of 2017

IN THE MATTER OF:

Aggcon International Equipments Pvt. Ltd.

...Appellants

Vs

**Isolux Corsan India Engineering and Construction
Pvt. Ltd.**

....Respondents

Present:

For Appellants: Mr. Saurabh Seth and Ms. Sumeera Seth, Advocates.

For Respondents: Mr. Deepak Khurana and Vineet Tayal, Advocates.

O R D E R

09.11.2017: From the record we find that the equipment Hire Agreement was reached between the appellant and one “Isolux Corsan India-C & C’JV” , District Kaimur, Bihar. Prima facie, it appears that no ‘Corporate Insolvency Process’ can be initiated against any other company such as “Isolux Corsan India Engineering and Constructions Pvt. Ltd.” (Respondent), the other company being not a party to the same

Counsel for the appellant who also accepts that Isolux Corsan India-C &C ‘JV’ is not a Company incorporated under the Companies Act, states that it may be a joint venture firm or individual entity. In this background, counsel for the appellant sought time was instructed to go through the Part III of the Insolvency and Bankruptcy Code, 2016 and to obtain instructions from the appellant.

Post the matter on **14th November, 2017.**

(Justice S. J. Mukhopadhaya)
Chairperson

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

(Balvinder Singh)
Member (Technical)