

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 284 of 2017

IN THE MATTER OF :

K.S. Oils Ltd.

... Appellant

Versus

**The State Trading Corporation
Of India Ltd. and anr.**

... Respondents

**Present:For Appellant: Shri Vivek Sibal and Ms. Pooja M.
 Saigal, Advocates
 O R D E R**

27.11.2017 — The question arises for consideration is whether on declaration of moratorium, an arbitration proceedings pending before the Arbitral Tribunal can proceed or not.

Learned counsel for the appellant brought to our notice to the decision of the Hon'ble Supreme Court in '*Alchemist Assets and Reconstruction Company Limited vs. Hotel Gaudavan Pvt. Ltd. and Ors.* – Civil Appeal No. 16929 of 2017' decided on 23rd October, 2017.

Let notice be issued on Respondent by speed post. Requisite along with process fee, if not filed, be filed by 28st November, 2017. If the Appellant provides the e-mail address of Respondent, let notice be also issued through e-mail.

Pending decision of this appeal, learned Arbitral Tribunal will not pass any award, if pending between the parties.

Post the matter on 14th December, 2017.

(Justice S.J. Mukhopadhaya)
Chairperson

(Justice Bansi Lal Bhat)
Member(Judicial)