

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

**Company Appeal (AT) (Insolvency) Nos. 216-217 of 2017**

**IN THE MATTER OF:**

**V.A. Tech Wabag Ltd. & Anr.**

**... Appellants**

**Versus**

**Consolidated Construction Consortium  
Ltd. & Anr.**

**... Respondents**

**Present: For Appellants : Shri Parag Tripathi, Senior Advocate with  
Shri Bishwajit Dubey, Shri Bipin Aspatwar,  
Shri Shaurya Vardhan and Shri Srinivasan,  
Advocates**

**For Respondent : Shri M. Parthiban and Shri S. Karthikei  
Balan, Advocates**

**O R D E R**

**10.10.2017** According to the appellant, there is a dispute in existence as the hydro test was not completed in terms of the agreement which was replied by the first Appellant by letter dated 17<sup>th</sup> June, 2016 i.e. much prior to the demand notice dated 6<sup>th</sup> April, 2017.

Shri M. Parthiban, Advocate appears on behalf of the first Respondent. No notice need be issued on him. He is allowed a week's time to file Vakalatnama and reply. Rejoinder, if any, be filed within a week thereof.

Let notice be issued on the second Respondent by Speed Post. Requisite along with process fees, if not filed, be filed by 12<sup>th</sup> October,

2017. If the appellant provides e-mail address of the said respondent, let notice be also issued through e-mail.

The appellant will serve copy of the paper-book on the counsel for the 1<sup>st</sup> respondent.

Post the matter on 2<sup>nd</sup> November, 2017.

In the meantime, the 'Interim Resolution Professional' will ensure that the company remains on-going and, if so necessary, may take assistance of the (suspended) Board of Directors. The authorised person of the 'Corporate Debtor', who is authorised to sign the bank cheques can issue cheque(s) subject to authorisation by the Interim Resolution Professional. The bank account(s) of the 'Corporate Debtor' is allowed to be operated only for day-to-day functioning of the company and its project(s), such as for payment of current bills of the suppliers, payment of salaries and wages of the employees/workmen etc.

(Justice S.J. Mukhopadhaya)  
Chairperson

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

(Balvinder Singh)  
Member(Technical)