

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 181 of 2017

IN THE MATTER OF:

Innoventive Industries Ltd.

...Appellant

Versus

Kumar Motors Pvt. Ltd.

...Respondent

Present:

For Appellant : Ms. Misha and Shri Shantanu Chaturvedi, Advocates

For Respondent : Ms. Jyoti Singh, Shri Vishnu Shriram, Advocate

O R D E R

12.10.2017 The question arises in this appeal is whether an application under Section 7 of the Insolvency & Bankruptcy, 2016 (hereinafter referred to as the 'I & B Code') is maintainable or not if the applicant has preferred a winding up petition under the Companies Act before the High Court. The learned counsel for the respondent has appeared and also raised the question of limitation.

The respondent is allowed a week's time to file the reply-affidavit. Rejoinder, if any, be filed within a week thereof.

Post the matter on 1st November, 2017. The appeal may be disposed of at the stage of admission.

[Justice S.J. Mukhopadhaya]
Chairperson

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

[Balvinder Singh]
Member (Technical)

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