

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 195 of 2017

IN THE MATTER OF:

Labdhi Enterprises

...Appellant

Versus

Baramati Agro Pvt. Ltd.

...Respondent

Present:

For Appellant :

**Shri Sumesh Dhawan and Ms. Vatsala Kak,
Advocates**

For Respondent :

Shri P.K. Mittal, Advocate

O R D E R

12.10.2017 The petition under Section 433, 434(e) and 439 of the Companies Act, 1956 preferred by the appellant before the High Court was transferred to Adjudicating Authority, Mumbai Bench pursuant to the Central Government Notification dated 7th December, 2016. The appellant, in terms of Rule 5 therein, took steps in terms of Section 8 read with Section 9 of the Insolvency and Bankruptcy Code, 2016. By impugned order dated 30th June, 2017, the Tribunal rejected the claim on the ground that the debt is barred by limitation.

Learned counsel appearing for the respondent is allowed to file the reply-affidavit within a week and rejoinder, if any, within a week thereof.

Post the matter on 1st November, 2017.

[Justice S.J. Mukhopadhaya]
Chairperson

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

[Balvinder Singh]
Member (Technical)

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