

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 224 of 2017

IN THE MATTER OF:

**Teknow Consultants and Engineers
Pvt. Ltd.**

...Appellant

Vs.

Bharat Heavy Electricals Limited

...Respondent

Present: For Appellant: - Mr. Parminder Singh, Advocate.

**For Respondent: - Mr. P V Kapoor, Senior Advocate with
Mr. Dibya Nishant, Advocate.**

ORDER

17.10.2017- Learned Counsel for the appellant submits that the pendency of the case before the Hon'ble High Court under Section 38 of the Arbitration and Conciliation Act, 1996 cannot be termed to be a dispute pending to reject the application under Section 9 of the Insolvency and Bankruptcy Code, 2016. He further submits that the application under Section 38 has also been dismissed.

Mr. Dibya Nishant, Advocate accepts notice on behalf of the respondent. No further notice need be issued to him. Learned counsel for the respondent is allowed time till 30th October, 2017 to file reply. Rejoinder, if any, be filed within a week thereof.

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Post the matter on 14th November, 2017.

(Justice S.J. Mukhopadhaya)
Chairperson

(Justice Bansi Lal Bhat)
Member(Judicial)

Ar/g