

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

**Company Appeal (AT) (Insolvency) No. 229 and 230 of 2017**

**IN THE MATTER OF:**

**MosmetroStroy (FZE)**

**...Appellant**

**Vs.**

**BASF India Limited & Anr.**

**...Respondents**

**Present: For Appellant: - Ms. Shalini Kaul, Advocate.**

**O R D E R**

**24.10.2017-** According to appellant, the application preferred by respondents under sections 433(e) and (f), 434 (i) (a) and 439 (i) (b) of the Companies Act, 1956 on transferred pursuant to notification dated 29<sup>th</sup> June, 2017, but without compliance of provisions under section 8 of the Insolvency and Bankruptcy Code, 2016 and without filing of an application in the requisite Form-5 of the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016, the application has been treated to be an application under Section 9 of the 'I&B Code' and has been admitted.

Let notice be issued on Respondents by speed-post. Requisites along with process fee, if not filed, be filed by 25<sup>th</sup> October, 2017. If the appellant provides e-mail address of the respondents, let notice also be issued through e-mail.

Post the matters on 14<sup>th</sup> November, 2017.

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

(Justice S.J. Mukhopadhaya)  
Chairperson

(Justice Bansi Lal Bhat)  
Member(Judicial)

Ar/uk