

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 216 of 2019

IN THE MATTER OF:

M/s. Lasa Engineers Pvt. Ltd.

.....Applicant / Appellant

Vs.

M/s. Devas Engineering Systems Pvt. Ltd.

.....Respondent

Present :

For Appellant: Mr. Shashi Kiran Shetty, Senior Counsel with Ms. Anuparna, Mr. Mahesh Thakur, Ms. Sheffali, Advocates

For Respondents: Mr. Anandh.K, Advocate

O R D E R

19.08.2019 - *Prima facie*, a case has been made out to suggest that the amount taken is *barred by limitation* may not be correct.

Learned counsel for the Respondent tried to suggest that no amount is payable i.e. contrary to the plea that it is *barred by limitation*. If no amount was payable the question that it is barred by limitation does not arise. This shows that the 'Corporate Debtor' is not divulging the correct facts for coming to a definite conclusion.

....contd.

For the reason aforesaid, we intend to hear the learned counsel for the Respondent. It will be desirable if any of the Director of the 'Corporate Debtor' also remains present with counsel for Respondent, if necessary, before this Appellate Tribunal on the next date.

Post this case for 'Orders' on **29th August, 2019**.

The appeal may be disposed of on the next date.

Pendency of the appeal will not come in the way of parties to settle the matter.

[Justice S. J. Mukhopadhaya]
Chairperson

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

[Kanthi Narahari]
Member (Technical)

ss/gc