

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency)No. 453 of 2019

IN THE MATTER OF:

Aggarwal Sanitations

.....Appellant

Vs.

M/s. V3S Infratech Ltd.

.....Respondents

Present :

For Appellant: Mr. Nitesh Jain, Advocate

O R D E R

02.07.2019 - Learned counsel for the Appellant submits that there is no record to suggest pre-existing dispute and the ground shown by the Adjudicating Authority treated to be a pre-existing dispute. Further, according to him the application u/s 9 was not barred by limitation.

However, as the appeal has been filed after delay of 75 days and this Appellate Tribunal has no power to condone delay beyond 15 days in addition to 30 days in preferring the appeal in view of Section 61(2) of the Insolvency and Bankruptcy Code, 2016 ('I&B' Code). We dismiss the appeal being barred by limitation.

[Justice S. J. Mukhopadhaya]
Chairperson

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

[Kanthi Narahari]
Member (Technical)

ss/gc