

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 1454 of 2019

IN THE MATTER OF:

Mironda Trade & Commerce Pvt. Ltd.

...Appellant

Vs

Sai Lakshmi Tulasi Ferros Pvt. Ltd.

...Respondents

Present:

For Appellant: Mr. Shariq J Reyaz and Mr. Sanmat, Advocates.

For Respondents:

ORDER

16.12.2019: Admittedly, the Appellant has not supplied any goods nor rendered any services; the Appellant is not an employee of the Corporate Debtor nor is Government Authority, therefore, it does not come within the meaning of Operational Creditor as defined under Section 5(20) r/w 5(21) of the Insolvency and Bankruptcy Code, 2016 (hereinafter referred to as 'I&B Code') and the application under Section 9 of the I&B Code was not maintainable as held by the Adjudicating Authority.

In absence of any merit while we condone delay of 14 days in preferring the appeal, the appeal is dismissed.

[Justice S. J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

[Justice Venugopal M.]
Member (Judicial)

am/gc