

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 406 of 2020

IN THE MATTER OF:

Horizon Translifters Pvt. Ltd.

...Appellant

Versus

Garden Silk Mills Ltd.

...Respondent

Present:

For Appellant : Mr. Abhishek Mishra, Advocate

ORDER

12.03.2020 The Appellant – Horizon Translifters Pvt. Ltd. (Operational Creditor) filed an application under Section 9 of the 'I&B Code' which has been rejected by the Adjudicating Authority, Ahmedabad Bench by impugned order 23rd January, 2020 on the ground of pre-existence of dispute.

From record, we find that the Demand Notice was issued on 25th September, 2019 but prior to the same, there was a correspondence by e-mail by which the 'Corporate Debtor' raised the supplies and the matter remains pending. In view of the same, we find no reason to interfere with the impugned order.

However, this order will not come in the way of the Appellant to move before the appropriate Forum.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

[Shreesha Merla]
Member (Technical)

/ns/gc/