

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
COURT - IV

ITEM No. 101
IA-2284/ND/2021
(IB)-305(ND)/2020

IN THE MATTER OF:

Satish Sahebro Deotale ... Applicant

Vs.

Amerex Pvt. Ltd. ... Respondent

Order under Section 9 of IBC

Order delivered on 24.05.2021

Coram:

DR. DEEPTI MUKESH,
HON'BLE MEMBER (JUDICIAL)

MS. SUMITA PURKAYASTHA,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant : Mr. Suresh Kumar Pillay, CS

ORDER

IA-2284/ND/2021:

This is an application filed by the Operational Creditor seeking revival of IB-305/ND/2020. Learned PCS submits that IB-305/ND/2020 was allowed to be withdrawn on 26.02.2021, in view of settlement agreement executed between the parties detailing the schedule of payment to be made to the Operational Creditor by the Corporate Debtor. Learned PCS further states that as per the settlement agreement the payment was to be made from 12.03.2021 onwards every fortnight, but till date five cheques were deposited and all have bounced. The copies of cheques and bank memos are also annexed.

Considering the submission made and documents on record we allow the application. Learned Counsel states that in IB-305/ND/2020 the Corporate Debtor has not filed reply. We further direct that reply may be filed before 30.06.2021 with the copy in advance to the other side, Rejoinder, if any, two weeks thereafter.

List IB-305/ND/2020 for hearing on **12.08.2021**.

Sd/-
SUMITA PURKAYASTHA
MEMBER (TECHNICAL)

Sd/-
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)