

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI

COURT-VI

Item No. 206
IB-356/ND/2020

IN THE MATTER OF:

M/s. SKC Infratech Pvt. Ltd.

..PETITIONER

Vs.

M/s. EOS Hospitality Pvt. Ltd.

...RESPONDENT

Section

Under Section 9 of IBC

Order delivered on 13.02.2020

Coram:

SHRI. ABNI RANJAN KUMAR SINHA, HON'BLE MEMBER (JUDICIAL)

DR. V.K. SUBBURAJ, HON'BLE MEMBER (TECHNICAL)

**For the Petitioner/Op.-Creditor/F.C. :Mr. Abhishek Sharma, Mr.
Vaibhav Sharma, Advs.**

For the Respondent/ Corporate-debtor :

ORDER

After some argument it has come to our notice that the last invoice was raised on 4th February, 2014 and from that period present appeal is barred by limitation but in course of argument learned counsel for the petitioner submitted that the acknowledgment was made on 13th September, 2019 and from that period the present application within time. And therefore, the learned counsel for the petitioner seeks time to convince us if the acknowledgment is beyond the period of limitation that acknowledgment will be considered under Section 18 of the Limitation Act. Post the matter to 28th February, 2020.

-sd-

**(V.K. Subburaj)
Member (T)**

-sd-

**(Abni Ranjan Kumar Sinha)
Member (J)**

(Annu)