

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**COURT-V**

**Item No.-104**  
IB-832/ND/2020  
New Petition

**IN THE MATTER OF:**

HIGH GROUND ENTERPRISE LIMITED  
Vs.  
ITE INDIA PRIVATE LIMITED

....Applicant

.....Respondent

**SECTION**

U/s 9 IBC Code 2016

Order delivered on 24.09.2020

**CORAM:**

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

**SHRI K.K. VOHRA,**  
**HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

For the Applicant : Mr. Shantanu  
For the Respondent :

**ORDER**

In course of hearing, it has come to our notice that the tracking report has not enclosed with this application and the last date of invoice is of 31.03.2016, whereas the present application is filed on 03.03.2020, therefore, in view of Article 137 of the Limitation Act, the present application is barred by limitation but the contention of the petitioner is that after last date of invoice, some payment was made that can be treated as acknowledgement of debt, so, the petitioner is well-advised to substantiate their submissions by producing any decision on this, on the next date of hearing.

List the case on 01.10.2020.

-Sd-

**(K.K. VOHRA)**  
**MEMBER (T)**

-Sd-

**(ABNI RANJAN KUMAR SINHA)**  
**MEMBER (J)**