

IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
DIVISION BENCH
COURT - 1

ITEM No.106
C.P.(IB)/237(AHM)2021

Proceedings under Section 9 IBC

IN THE MATTER OF:

Torque Automotive Pvt Ltd
(Through RP Kamal Agarwal)
V/s
Stellar Autohaus Pvt Ltd

.....Applicant

.....Respondent

Order delivered on: 09/07/2024

Coram:

Mr. Shammi Khan, Hon'ble Member(J)
Mr. Sameer Kakar, Hon'ble Member(T)

PRESENT:

For the Applicant :Mr. Jaimin Dave, Adv. a.w. Ms. Hirwa Dave, Adv.
For the Respondent :Mr. Navin Pahwa, Sr. Adv. a.w Mr. Ravi Pahwa, Adv.

ORDER
(Hybrid Mode)

It has been stated in part IV of the Form 5 that the date of default occurred from March, 2019 to June, 2021. However, in the intervening period there is exempted period under section 10A of the IBC, 2016 for which period any operational debt become due cannot be enforced under Section 9 of the IBC, 2016.

Learned counsel for the applicant seeks opportunity to segregate the amount of that period by filing additional affidavit with advance copy to the opposite counsel with liberty to rebut the same. Let needful be done within ten days with advance copy to opposite side and rebuttal, if any, be filed within seven days thereafter.

Re-list on 02.08.2024

-sd-

SAMEER KAKAR
MEMBER (TECHNICAL)

-sd-

SHAMMI KHAN
MEMBER (JUDICIAL)