

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**Company Appeal (AT) (Insolvency) No.1573 of 2023**

**IN THE MATTER OF:**

**Akash Deep**  
**Suspended Director of Khati Solutions Pvt. Ltd.** **...Appellant**

**Versus**

**Evlion Technologies Pvt. Ltd. & Anr.** **...Respondents**

**Present:**

**For Appellant:        Mr. Virender Ganda, Sr. Advocate**

**For Respondents:**

**ORDER**  
**(Hybrid Mode)**

**05.12.2023:**        Learned counsel for the Appellant submits that order by the Adjudicating Authority admitting Section 9 application is an ex-parte order since neither the Demand Notice was served nor notice of the application under Section 9 was served on the Appellant. It is further submitted that the order has been passed relying on Proforma Invoice of 250 battery packs which were never delivered to the Corporate Debtor. He further submits that even with regard to earlier delivery of 250 battery packs there were certain defects and communication regarding the same, however, payment has already been made. Submission needs scrutiny.

Issue notice. Let Reply be filed within two weeks. Rejoinder be filed within two weeks thereafter.

List this Appeal on **15.01.2024**.

*Cont'd.../*

In the meantime, no further steps be taken in pursuance of the order dated 09.11.2023.

The application seeking liberty to bring additional documents on record is allowed.

**[Justice Ashok Bhushan]**  
**Chairperson**

**[Barun Mitra]**  
**Member (Technical)**

*Archana/nn*