

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Comp. App. (AT) (Ins) No. 1517 of 2024

IN THE MATTER OF:

Satish Kumar Narula

...Appellant

Versus

Healthians Research Centre Pvt. Ltd.

...Respondents

Present:

For Appellant : Mr. Abhijeet Sinha Sr. Advocate with Mr. Giriraj Subramaniam, Mr. Siddhant Juyal, Mr. Veda Singh, Mr. Joy Banerjee and Mr. Simarpal Singh Sawhney, Advocates.

For Respondent : Mr. Kunal Cheema, Ms. Minansi Sethi, Ms. Yashika Rastogi, Advocates.

O R D E R
(Hybrid Mode)

05.08.2024: Ld. Counsel for the appellant submits that the Part-4 of the application Section 9 which was filed by the corporate debtor it was clearly pleaded that the corporate debtor is a sister concern of the Vimhans Nayati with whom the service agreement as well as the closure agreement was entered with the operational creditor.

2. It is submitted by the counsel for the appellant that there is no operational debt payable by the corporate debtor and mere fact that certain cheques has dishonoured cannot made the debt an operational debt.

3. Shri Cheema Ld. Counsel appearing for respondent opposed the submission and submits that both Nayati and Vimhans Nayati are one of the same and corporate debtor has paid the payment by RTGS in pursuance of the closure agreement. He further submits that CoC has already been constituted on 30.07.2021 submission made by the parties needs consideration.

4. Issue notice.
5. Let Reply-Affidavit be filed within two weeks and Rejoinder, if any, may filed two weeks, thereafter.
6. List this appeal on **04.09.2024**.
7. In the meantime, no further steps shall be taken in pursuance of the order dated 05.07.2024.
8. Appellant is permitted to implead the IRP. Let amended memo of parties be filed within a week.

[Justice Ashok Bhushan]
Chairperson

[Barun Mitra]
Member (Technical)

harleen/nn