

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

**Company Appeal (AT) (Insolvency) No.36 of 2024
& I.A. No. 116 of 2024**

IN THE MATTER OF:

Sandeep Behl

...Appellant

Versus

Nirmal Trading Company & Ors.

...Respondents

Present:

**For Appellant: Mr. Abhijeet Sinha, Mr. Sandeep Bisht, Mr. Avnish
 Kumar, Mr. Nimit Saigal and Ms. Kunickaa
 Sadanand, Advocates.**

For Respondents:

**ORDER
(Hybrid Mode)**

11.01.2024: I.A. No. 116 of 2024: This is an application praying for condonation of 11 days' delay in filing the Appeal. Sufficient cause has been shown in Para 3 and 4 of the application. Delay is condoned. I.A. No. 116 of 2023 stands disposed of.

Learned counsel for the Appellant submits that payments were made by forty-two invoices by the Appellant which has not been taken in consideration by the Adjudicating Authority and debt did not satisfy the threshold and the application could not have been admitted. He further submits that even the IRP while collating the claims has not admitted the claim of the Operational Creditor. Submission needs scrutiny.

Issue notice. Requisites along with process fee be filed within three days. Let Reply be filed by the Respondents within two weeks. Appellant may file Rejoinder within two weeks thereafter.

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List this Appeal on **22.02.2024**.

In the meantime, the CoC shall not take decision with regard to any Resolution Plan.

[Justice Ashok Bhushan]
Chairperson

[Barun Mitra]
Member (Technical)

[Arun Baroka]
Member (Technical)

Archana/nn