

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) (Insolvency) No. 553 of 2025

IN THE MATTER OF:

Neelkantham Systems Pvt. Ltd.

...Appellant

Versus

**Virendera Prakash Gupta,
Proprietor of Virendera Textiles**

...Respondent

Present:

For Appellant : Present but appearance not marked.

For Respondent : Present but appearance not marked.

O R D E R
(Hybrid Mode)

23.04.2025 Learned Counsel for the Appellant submits that there was pre-existing dispute with the Operational Creditor prior to issue of demand notice, he has referred to the emails dated 11.09.2023 and 14.12.2023, which were much before issuance of demand notice dated 14.02.2024. He submits that demand notice was also replied, which was a notice of disputes and the Adjudicating Authority ought not to admitted the Section 9 Application. Submission needs scrutiny.

Issue Notice. Let, Reply be filed by the Respondent within three weeks. Two weeks for Rejoinder.

Learned Counsel for the Respondent submits that CoC has already been constituted. Let, CoC proceed, however, no resolution plan shall be considered.

List this Appeal on **26.05.2025**.

[Justice Ashok Bhushan]
Chairperson

[Barun Mitra]
Member (Technical)

[Arun Baroka]
Member (Technical)

pks/nn