

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI
Company Appeal (AT) (Insolvency) No. 1522 of 2019

IN THE MATTER OF:

Allied Silica Ltd.

...Appellant

Vs

Tata Chemicals Ltd.

....Respondent

Present:

**For Appellant: Mr. Bishwajit Bhattachariya, Sr. Advocate with
Mr. D. Sreenivasan, Mr. G. Ananda Selvam,
Mr. Naman Joshi and Mr. Akant Mittal, Advocates.**

**For Respondent: Mr. Krishnan Venugopal, Sr. Advocate with
Mr. Nitish Jain, Mr. Maoulshree Shukla and
Mr. Atul Jain, Advocates.**

O R D E R

06.01.2020: Respondent has appeared by filing caveat. Learned counsel for the Respondent submits that apart from other issues, there is a pre-existing dispute as noticed by the Adjudicating Authority while rejecting application under Section 9. It is also submitted that the Appellant do not come within the meaning of 'Operational Creditor' as defined under Section 5 (20) and (21) of the I&B Code.

Respondent are allowed to file short reply affidavit within 10 days. Rejoinder, if any, be filed within one week thereof enclosing copy of full Form 5 including the enclosures.

Post the case 'for orders' on **5th February, 2020**. Appeal may be disposed of on the next date.

[Justice S. J. Mukhopadhyaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

am/sk