



**IN THE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI, COURT III**

IA-1452/2023
in
IB-359(ND)/2021

Under Section 60(5) (c) of IBC, 2016

IN THE MATTER OF:-

PHL Fininvest Private Limited

..... **Financial Creditor**

Versus

Kay Jay Leasing Limited

..... **Corporate Debtor**

And

IN THE MATTER OF: -

Kay Jay Leasing

.....**Applicant**

Versus

PHL Fininvest Private Limited

.....**Respondent**

Pronounced on 05.12.2023

CORAM:-

**SHRI ATUL CHATURVEDI
MEMBER (TECHNICAL)**

**SHRI BACHU VENKAT BALARAM DAS
MEMBER (JUDICIAL)**

PRESENT:-

For the Applicant : Mr. Vikas Dutta. Adv.

For the Respondent : Mr. Krishnendu Datta, Sr. Adv.

ORDER

PER: BACHU VENKAT BALARAM DAS, MEMBER (JUDICIAL)

IA-1452/2023

The instant application i.e. IA-1452/2023 filed by the Corporate Debtor seeking dismissal of the Company Petition No. IB-359/2021 on the ground that the petition is barred by Section 10A IBC, 2016 is ***dismissed***.

SD/-

SD/-

**SHRI ATUL CHATURVEDI
MEMBER (TECHNICAL)**

**SHRI BACHU VENKAT BALARAM DAS
MEMBER (JUDICIAL)**