

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

**Company Appeal (AT) (Insolvency) No. 12 of 2020**

**IN THE MATTER OF:**

M/s IFGL Refractories Ltd.

...Appellant

Versus

M/s. Agarwal Structure Mills (P) Ltd.

...Respondent

**Present:**

**For Appellants: Mr. Pradhuman Gohil and Ranu Purohit,  
Advocates.**

**For Respondents: Mr. Kumarjit Banerjee, Mr. Gaurav Gupta and  
Mr. Jaspal Singh, Advocates.**

**ORDER**

**07.01.2020** Learned Counsel for the Appellant submits that the application under Section 9 of the Insolvency and Bankruptcy Code, 2016 cannot be rejected on the ground there being a debt and default and in absence of any pre-existing dispute.

Mr. Kumarjit Banerjee along with Mr. Jaspal Singh, Advocates appear on behalf of the Respondent. No further notice need be issued to them. Learned Counsel for the Respondent is allowed time to file reply affidavit within a week. Rejoinder, if any, be filed within five days thereof. The Appeal may be disposed of on the next date.

Post the case 'for orders' on **30<sup>th</sup> January, 2020.**

[Justice S. J. Mukhopadhaya]  
Chairperson

[Justice Bansi Lal Bhat]  
Member (Judicial)