

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Company Appeal (AT)(Insolvency) No. 496 of 2023

&
I.A. No. 1629 of 2023

IN THE MATTER OF:

International Land Developers Pvt. Ltd.

...Appellant

Versus

Naresh Kumar

...Respondent

Present:

For Appellant : Appearance not marked.

For Respondent : Mr. Prateek Seth, Advocate

O R D E R

25.04.2023: This appeal is against the order dated 01.03.2023 by which the Adjudicating Authority (NCLT, New Delhi- Court V) has rejected I.A. No. 4429 of 2022 which was filed by Corporate Debtor under Rule 11 of NCLT Rules, 2016 praying that Section -7 Application be rejected. Adjudicating Authority has dismissed the Application and has observed that Corporate Debtor should cure the defects in reply and get the same listed on e-portal.

Learned Counsel for the Appellant submits that the Appellant has filed the Application to challenge the maintainability of Section 7 Application.

We are of the view that no error has been committed by the Adjudicating Authority in rejecting the Application. It is open for the Corporate Debtor to raise all issues including maintainability of main petition.

With these observations, we dismiss the appeal.

[Justice Ashok Bhushan]
Chairperson

[Mr. Barun Mitra]
Member (Technical)

akc/nn