

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 378 of 2018

IN THE MATTER OF:

J. Technologies India Ltd. ...Appellant

Vs.

Jura IT Solutions Pvt. Ltd. ...Respondent

Present: For Appellant: - Mr. S.S. Ganesh Raja, Advocate.

O R D E R

23.07.2018- This appeal has been filed by the Appellant ('Corporate Debtor') against the order dated 19th June, 2018 passed by the Adjudicating Authority (National Company Law Tribunal), Single Bench, Chennai, whereby and whereunder the application under Section 9 of the Insolvency and Bankruptcy Code, 2016 (hereinafter referred to as "I&B Code") preferred by the Respondent- 'Jura IT Solutions Pvt. Ltd.'- ('Operational Creditor') has been admitted, order of 'Moratorium' has been passed and the name of the 'Interim Resolution Professional' has been called for.

2. Apart from the fact that the appeal at the instance of the 'Corporate Debtor' is not maintainable in view of the decision of the Hon'ble Supreme Court at Paragraph 11 in "***M/s. Innoventive Industries Ltd. Vs. ICICI Bank & Anr.— 2017 SCC OnLine SC 1025***", we also find that there is no merit in this appeal for the reasons as mentioned below.

Contd/-.....

3. Learned counsel appearing on behalf of the Appellant submits that there is an existence of dispute but from the records we find that no dispute relating to goods or quality of service were raised by the 'Corporate Debtor' prior to issuance of notice under Section 8(1) of the 'I&B Code'.

4. It is also submitted that the dispute relates to quantum of payment. However, it is accepted that a sum of more than Rs. 54 lakhs is payable, which has not been paid.

5. In that view of the aforesaid admitted fact, the appeal is fit to be dismissed. It is accordingly dismissed. No cost.

(Justice S.J. Mukhopadhaya)
Chairperson

(Justice Bansi Lal Bhat)
Member(Judicial)

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