

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI

COURT-VI

**Item No. 203
IB-1005/ND/2019**

IN THE MATTER OF:

M/s. Om Trans Logistics Ltd.

...PETITIONER

Vs.

M/s. JMD Global Forwarders INC Pvt. Ltd.

...RESPONDENT

Section

Under Section 9 of IBC

Order delivered on 14.02.2020

Coram:

**SHRI. ABNI RANJAN KUMAR SINHA, HON'BLE MEMBER (JUDICIAL)
DR. V.K. SUBBURAJ, HON'BLE MEMBER (TECHNICAL)**

**For the Petitioner/Op.-Creditor/F.C. :Ms. Mahe Zehra, Adv.
For the Respondent/ Corporate-debtor :**

ORDER

After some argument it has come to our notice that the operational-creditor has also filed an application being civil suit No. 87/2019 and same is pending in the Court of Ms. Geeta, Civil Judge, Tis Hajari, New Delhi. Therefore, the learned counsel appearing on behalf of the operational-creditor is directed to convince us that if the suit is pending between the parties regarding the same cause of action, the present application under Section 9 of Insolvency and Bankruptcy Code, 2016 is maintainable. Matter is adjourned to 28.02.2020.

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**(V.K. Subburaj)
Member (T)**

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**(Abni Ranjan Kumar Sinha)
Member (J)**

(Meenu)