


**NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH**

PRESENT: HON'BLE SHRI BIKKI RAVEENDRA BABU – MEMBER JUDICIAL

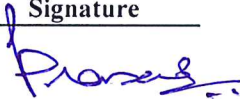
ATTENDANCE-CUM-ORDER SHEET OF THE HEARING HELD ON 03.09.2018 AT 10.30 AM

TRANSFER PETITION NO.	
COMPANY PETITION/APPLICATION NO.	IA No. 357/2018 in CP(IB) No. 308/9/HDB/2017
NAME OF THE COMPANY	KVK Nilachal Power Pvt Ltd
NAME OF THE PETITIONER(S)	Sangha Erectors Pvt Ltd
NAME OF THE RESPONDENT(S)	KVK Nilachal Power Pvt Ltd
UNDER SECTION	9 OF IBC

Counsel for Petitioner(s):

Name of the Counsel(s)	Designation	E-mail & Telephone No.	Signature
N.B. Banerjee	Advocate	9966389387	

Counsel for Respondent(s):

Name of the Counsel(s)	Designation	E-mail & Telephone No.	Signature
D.V.A.S. Pan Prasad	Advocate	9440234074	

IA No. 357/2018 in
CP (IB) No.308/09/HDB/2017

ORDER

Learned counsel Mr.N.B.Banerjee present for Petitioner.
Learned counsel Mr.D.V.A.S.Ravi Prasad present for
Respondent.

Respondent filed counter in IA 357/2018.

IA 357/2018 is filed by the Corporate Debtor seeking
permission to file additional counter.

Corporate Debtor in additional counter took the following
pleas.

1. The claim is barred by limitation.
2. Raising disputes in respect of the amount claimed.

In the counter, Operational Creditor stated that this
Application is belated Application. It is stated that plea of
limitation is already there in the counter. It is further stated
that Corporate Debtor having not raised any dispute so far as
now trying to raise a disputes in respect of the amount
claimed.

The plea of the limitation can be raised at any stage. Moreso,
even according to the Operational Creditor the plea of the
limitation is already there in the counter. Whether the
Corporate Debtor can raise a dispute in respect of the claim
amount in the counter or additional counter is an issue to be
decided on merits at the time of hearing the main petition.

Hence, Applicant is permitted to file additional counter.

Application in IA 357/2018 is disposed of accordingly.

Petitioner is permitted to file rejoinder in main petition.

List the matter on 12.09.2018.


MEMBER JUDICIAL