

IN THE NATIONAL COMPANY LAW TRIBUNAL

COURT NO. IV, NEW DELHI

C.A. No. 80/2018/C-IV IN (IB)-193/ND/2018

Under Section: 9 of IBC Code, 2016.

In the matter of:

M/s Kintech Synergy Pvt Ltd.

.....**Applicant**

Vs.

M/s RRB Energy Ltd.

.....**Respondent**

Order delivered on 28.09.2018

CORAM

**DR. DEEPTI MUKESH,
HON'BLE MEMBER (J)**

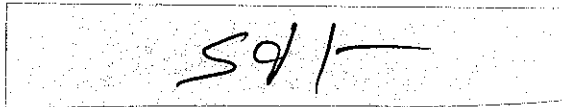
For the Applicant : Mr. Ashish Jain, Adv.
Mr. Anshul Rawat, Adv.

For the Respondent :

ORDER

Application being CA No. 80/2018, C-IV is filed in a main application IB-193/(ND)/2018 under Rule 11 of the Insolvency & Bankruptcy Code. The learned counsel for the applicant states that the main application filed under Section 9 of the Insolvency & Bankruptcy Code was taken up on 06.04.2018 and same is adjourned sine die as the issue of applicability to Limitation Act

is pending consideration before the Hon'ble Supreme Court. The learned counsel further states that in view of the recent amendment of the Code and incorporation of Section 238A with respect to the applicability of limitation to the Insolvency & Bankruptcy Code, application filed Under Section 9 may be listed for reconsideration. The application is allowed. It is hereby directed that IB-193/(ND)/2018 be listed on 30.10.2018 with the direction to the learned counsel for the applicant to serve the order dasti on the corporate debtor and his counsel. Application is allowed as disposed of in terms of the above order. For further consideration on 30.10.2018.



(DR. DEEPTI MUKESH)
MEMBER (JUDICIAL)