

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
COURT NO. IV, NEW DELHI**

**CA No. 62/2018 (IB)-201/PB/2018**

**In the matter of:**

Vinod Kumar

....**Applicant**

Vs.

Noesis Industries Ltd.

....**Respondent**

**Under Section: 9 of IBC Code, 2016.**

**Order delivered on 11.09.2018**

**CORAM**

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

For the Applicant

: Mr. Deepak Diwan, Adv.

For the Respondent

: Mr. Tarun Vaid, Adv.

**ORDER**

An application being CA No. 62/2018 is filed by the corporate debtor seeking indulgence of the Court to allow them to file reply and contest the matter when the matter was already reserved for orders on 14.06.2018 the said application was filed on 04.07.2018 as per the statement made by the learned counsel for the applicant. The said application (copy) is not served till date to the applicant. Neither the respondents have come before the Court with the reply in the main application being IB-201/PB/2018. Hence, the application is dismissed since no steps have been taken

by the corporate debtor and this is just an endeavour to delay the passing of the orders. Today application being CA No. 62/2018 is filed by the applicant requesting to pass the final order in main application filed under Section 9 of the Insolvency & Bankruptcy Code. The application is allowed. The order in main application IB-201(PB)/2018 was reserved on 14.06.2018 and continues. Today the learned counsel for the corporate debtor further makes a statement that the company is not in business since last few years and have instructions that they are not able to pay the debt. This was the same statement made on 14.06.2018 from which the learned counsel had retracted. Such kind of practice should be reprimanded and the corporate debtor is directed to pay the cost of Rs. 10,000/- to the Prime Minister Relief Fund within one week and produce the proof of payment within one week before the Court. The applications mentioned above were listed on 18.09.2018 now stands cancelled. The order is reserved.

**Sd/-**

**(DR. DEEPTI MUKESH)  
MEMBER (JUDICIAL)**

Mukesh

