

**NATIONAL COMPANY LAW TRIBUNAL**

**NEW DELHI BENCH**

(IB) 331 (ND)/2017

**CORAM:**

**PRESENT: SH. S. K. MOHAPATRA  
HON'BLE MEMBER(T)**

**SMT. INA MALHOTRA  
HON'BLE MEMBER (J)**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING BEFORE NEW  
DELHI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON  
03.10.2017**

**NAME OF THE COMPANY:** Yogesh Kumar Gupta Vs. M/s Noida Software  
Technology Park Ltd.

**SECTION OF THE COMPANIES ACT:** 9 of IBC, 2016

<b>S.NO.</b>	<b>NAME</b>	<b>DESIGNATION</b>	<b>REPRESENTATION</b>	<b>SIGNATURE</b>
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	For the Petitioner (s)	: Mr. Neeraj Kumar Gupta, Advocate Mr. Yogesh Kumar Gupta		
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	For the Respondent (s)	: None		
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**ORDER**

Reply has been filed by the Respondent. The initiation of the Corporate Insolvency Resolution Process against them is resisted on grounds of the debt being time barred as well as for non-compliance of Sections 9(3)(b) and 9(3)(c) of the Code.

With respect to limitation, Ld. Counsel for the Petitioner has been able to show an email certifying the computation of the Petitioner's salary upto November, 2014 and the tax deducted at source thereon.

Ld. Counsel for the Respondent prays for some time to take necessary instructions in this respect. He is also directed to file the Balance Sheet for the financial year 2014-15.

In the meantime, the Petitioner shall remove all objections as noted above. He is given 7 days time to remove the same.

To come up for final disposal on 12<sup>th</sup> October, 2017.

- Sd -  
**(S. K. Mohapatra)**  
**Member (T)**

- Sd -  
**(Ina Malhotra)**  
**Member (J)**