

**IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH**

(IB)-197(PB)/2017

IN THE MATTER OF:

Edelweiss Asset Reconstruction Company Limited Vs Tecpro Systems Limited	APPLICANT / PETITIONER
	RESPONDENT

SECTION:

Under Section 7 of Insolvency and Bankruptcy Code 2016

Order delivered on 09.10.2017

Coram:

**CHIEF JUSTICE M. M. KUMAR
Hon'ble President**

**DEEPA KRISHAN
HON'BLE MEMBER (TECHNICAL)**

For the APPLICANT / PETITIONER :- Mr. Aditya Tiwari, Adocate

For the RESPONDENT :- Ms. Misha, Advocate
Mr. Vaijayant, Advocate

ORDER

CA No. 357(PB)/2017

This is an application filed by Steamline Industries Pvt. Ltd.. the Applicant has stated that the tribunal may permit the applicant to continue with the proceedings pending before the Hon'ble High Court of Delhi, in Civil Suit(COMM) 123/2017. In support of the application various grounds have been pleaded in para 13.

Having heard the Learned Counsel for the applicant we are of the view that no such permission can be granted in the face of the moratorium having been imposed as contemplated by section 14(1)(a) of the Insolvency and Bankruptcy Code 2016. According to the aforesaid provision



Deepak Kumar

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the institution of suits or continuation of the pending suit or proceeding against the corporate debtor including execution of the judgement, decree or order in any court of law, tribunal, arbitration panel or any other authority is prohibited. Therefore, we are not able to persuade ourselves to accept the prayer made in the application as it is patently against the provision of section 14 of the Code.

Dismissed with cost of Rs. 20,000/-.

Sd/-

**CHIEF JUSTICE M. M. KUMAR
PRESIDENT**

Sd/-

**(DEEPA KRISHAN)
MEMBER (TECHNICAL)**