

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
AT CHENNAI

(APPELLATE JURISDICTION)

Company Appeal (AT) (CH) (Ins) No. 336/2026
(IA Nos. 958 & 1239/2026)

In the matter of:

KS Wind & Renewables India Pvt Ltd. **... Appellant**

V

Siemens Gamesa Renewable Power Pvt Ltd. **...Respondent**

Present :

For Appellant : Mr. P.H. Arvinth Pandian, Senior Advocate
For Mr. Vedhavel, Advocate

ORDER
(Hybrid Mode)

25.08.2026:

This appeal is preferred by the unsuccessful operational creditor who had lost its petition under Section 9 of the I & B Code. Introducing the case, Mr. P.H. Arvinth Pandian, the learned senior counsel for the appellant, submitted that the appellant herein had undertaken and entered into certain contract to do certain services under six different contracts with the respondent of which there is hardly any dispute with regard to six project.

So far as, the 7th project (CH Nagar & Holavanahali) which has given rise to the present claim made by the appellant, sometime in December 2017, the work was stopped at the instances of the respondent. And that in its respondent's mail dated 23.06.2022, the appellant had indicated the value of the work done vis-à-vis the 7th project now under consideration as Rs.4.84 Crores, which he has subsequently altered to Rs.4.14 Crores vide its respondent's mail dated

12.07.2022.

However, despite the demands made the respondent never came forward to pay the said sum nor it showed interest to even respond to notice issued under Section 8 of the I & B Code, 2016. The learned Adjudicating Authority, however, finds that there is a dispute which on the face of the records does not exists.

We now notice that there is a delay of 1 day in filing the appeal for which the appellant has taken out IA No.1239/2026. Notice to respondent in IA No.1239/2026.

List this appeal on **15.09.2026**.

[Justice N. Seshasayee]
Member (Judicial)

[Jatindranath Swain]
Member (Technical)

VG/MS/AK