

**NATIONAL COMPANY LAW APPELLATE TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

Company Appeal (AT) (Insolvency) No. 1419 of 2026

In the matter of:

Parth Yogesh Gandhi

....Appellant

Vs.

JRG Engineering Polymers Pvt. Ltd. & Anr.

...Respondents

For Appellant

**Mr. Gautam Singhal, Mr. Rajat Chaudhary, Ms.
Anjali Maurya, Advocates.**

For Respondents

ORDER

(Hybrid Mode)

07.08.2026: Vide an impugned order dated 25.06.2026, the Corporate Debtor is admitted to CIRP on an application filed under Section 9 of the IBC. It is submitted by the Learned Counsel for the Appellant there is a pre-existing dispute, which ought to have been considered by the Ld. Adjudicating Authority. However, we have perused the impugned judgment more specifically its paragraph 52, which notes the FIR and documents of arbitration proceedings relied upon by the Appellant were subsequent to the issuance of Section 8 notice and even after filing of the reply to the company petition and it was held subsequent developments cannot be relied upon to establish an existence of a pre-existing dispute, as contemplated under the Code.

2. It is submitted by the Learned Counsel for the Appellant if one peruse the FIR it relates to disputes which were prior to the issuance of Section 8

notice. In any case, on examining the impugned order, we are inclined only to issue notice.

3. Let 'Notice' be issued to the Respondents through Speed Post. Let the requisites together with process fee be filed within three days from today. The Appellant is required to provide the e-mail address of the Respondents so in that mode also, the service can be effected. The Appellant is also required to furnish the Mobile No. of the Respondents to the 'Office of the Registry'.

4. Let reply be filed within two weeks. Rejoinder, if any, be filed within two weeks thereafter.

5. List the Appeal on 24.09.2026.

**[Justice Yogesh Khanna]
Officiating Chairperson**

**[Barun Mitra]
Member (Technical)**

**(Ajai Das Mehrotra)
Member (Technical)**

Anjali/md