

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Company Appeal (AT) (Insolvency) No. 1044 of 2026

IN THE MATTER OF:

GD Waldner India Pvt. Ltd.

...Appellant

Versus

Dishman Carbogen Amcis Ltd.

...Respondent

Present:

For Appellant : Mr. Navin Pahwa, Sr. Advocate with Mr. Kunal Vaishnav, Advocates.

For Respondent : Ms. Jaikriti S. Jadeja, Mr. Rajesh C. Sejpal and Ms. Ishitaa, Advocates.

O R D E R
(Hybrid Mode)

07.07.2026: This appeal is preferred by the Operational Creditor dismissing the petition filed under Section 9 of the Insolvency and Bankruptcy Code, 2016 (for short the “**IBC**”) principally on the ground of certain ‘Pre-Existing Dispute’ between the parties.

2. Learned Counsel for the appellant submitted that the appellant had undertaken a contract to construct a laboratory for the respondent and even as per the certificate of the statutory auditor of the Corporate Debtor, about Rs.1.9 crore is still due to the appellant but it was not paid. He also added that respondent has not disputed the liability till Section 8 notice was issued. Learned Counsel further added that impugned Order short-circuited the whole issue.

3. Issue Notice. Learned Counsel Ms. Jaikriti S. Jadeja enters appearance on behalf of the respondent and made a brief submission in justifying the correctness of the order.

4. Let reply be filed by the respondent within two weeks. Rejoinder be filed by the appellant within further two weeks.

List this appeal on **17th August, 2026.**

**[Justice N. Seshasayee]
Member (Judicial)**

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

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