

## Allahabad Bench

CP No. (IB) 62/ALD/2020

ATTENDENCE - CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 18.02.2020

NAME OF THE COMPANY: Bhushan DealMark Pvt Ltd V/s Upadhyay Contractors Pvt Ltd

SECTION OF I & B CODE: 9 IBC

<u>Sl. NO.</u>	<u>Name</u>	<u>Designation</u>	<u>Representation</u>	<u>Signature</u>
1.	Rahul Chaudhary	Adv	Pet.	Rahul
2.				

CP NO.(IB)62/ALD/2020

Sh. Rahul Chaudhary, Advocate for the petitioner is present.

Pursuant to the earlier order of this Court dated 06.02.2020, affidavit of compliance has been filed and it has been stated that the email dated 11.02.2020 was sent to the respondent, which has not bounced back and copy of the petition was also sent by post to the respondent, a receipt of which is on record.

Ld. Counsel for the operational creditor (hereinafter referred to as the petitioner), who states that the present petition has been filed under Section 9 of IBC, 2016 against the corporate debtor (hereinafter referred to as the respondent) for the defaulted amount of Rs.13,14,426/- alongwith interest amount was also due for the services rendered by the petitioner to the respondent and the date of default is 28.02.2019.

It is further contended that the aforesaid amount was not paid despite repeated demand being raised, therefore, notice under Section 8 of IBC was sent to the respondent on 08.08.2019, a copy of which is appended in the paper book as Annexure-7 and the same was returned back with endorsement refused, which is annexed at page no.78 of the paper book. It is further argued that the notice is sufficient, despite of the same, it was again sent to the respondent by email as well as by post pursuant to the earlier order of this Court dated 06.02.2020.

It is also contended that the advance copy of the present petition has already been sent by speed post, however, tracking report is not on record.

Issue notice by all modes including the process of Court and Dasti. Counsel for the petitioner may file tracking report alongwith Affidavit of service before the Registry of this Bench by the next date of listing.

Accordingly, put up on 18<sup>th</sup> March, 2020.

Dated: 18.02.2020

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