

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-V

Item No.-310
IB-3372/ND/2019

IN THE MATTER OF:

Satish Mittal

Vs

M/s Ozone Builders and Developers Pvt Ltd

....Applicant

....Respondent

SECTION

U/s. 7 of IBC,2016

Order delivered on 05.02.2020

CORAM:

SHRI ABNI RANJAN KUMAR SINHA
HON'BLE MEMBER (JUDICIAL)

SHRI K.K. VOHRA,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Applicant :

For the Respondent :

ORDER

Ld. Counsel for petitioner has put in appearance and seeks time to file the tracking report of the demand notice. Let the same be filed by filing supplementary affidavit. List the case on 20.02.2020.

Ld. Counsel for petitioner also seeks permission to serve the notice upon the respondent vide email. The same be allowed to serve the notice, according to the rules which is mentioned in "Adjudicating Rules 5(2)(b)", the same is quoted below:-

5. Demand notice by operational creditor.—(1) An operational creditor shall deliver to the corporate debtor, the following documents, namely.-

(a) a demand notice in Form 3; or

(b) a copy of an invoice attached with a notice in Form 4.

(2) The demand notice or the copy of the invoice demanding payment referred to in subsection (2) of section 8 of the Code, may be delivered to the corporate debtor,

(a) at the registered office by hand, registered post or speed post with acknowledgement due; or

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(b) by electronic mail service to a whole time director or designated partner or key managerial personnel, if any, of the corporate debtor.

(3) A copy of demand notice or invoice demanding payment served under this rule by an operational creditor shall also be filed with an information utility, if any.

List the case on **20.02.2020**.

→ Scl-

(K.K. VOTRA)
MEMBER (T)

Scl

(ABNI RANJAN KUMAR SINHA)
MEMBER (J)

(Chirag)