

IN THE NATIONAL COMPANY LAW TRIBUNAL : NEW DELHI

COURT-III

IB-313/ND/2018

In the matter of :

Falcon Waterfree Europe, GmbH

....PETITIONER

Vs.

Enswico (India) (P) Ltd

... RESPONDENT

SECTION :

Under Section 9 of IBC Code, 2016

Order delivered on 05.6.2018

Coram :

R. Varadharajan,

Hon'ble Member (Judicial)

Dr. V.K. Subburaj

Hon'ble Member (Technical)

For the Petitioner /applicant : Mr. Alishan Nagree, Mr. Dhourv Manchanda &
Mr. . Saurabh Chaturvedi, Advocates

For the Respondent/Corporate Debtor :

For the Intervener :

ORDER

Learned Counsel for the petitioner is present and represents that in compliance to the directions dated 19.4.2018, notice has been duly taken to the Corporate Debtor in relation to the application and that affidavit to this effect has also been filed vide diary No.2764 dated 10.5.2018. Perusal of the affidavit along with dispatch proof and Tracking report shows that the consignment has been delivered to the Corporate Debtor. The Order dated 15.5.2018 also reveals that the Corporate Debtor was not present despite the service of notice on 24.3.2018 as evidenced from the Tracking report. In view of the absence of the Corporate Debtor despite notice, this Tribunal is constrained to proceed in the matter in the absence of Corporate Debtor.

List on 09.7.2018.

— Sd —

(DR. V.K. SUBBURAJ)
MEMBER (TECHNICAL)

— Sd —

(R. VARADHARAJAN)
MEMBER (JUDICIAL)

Surjit