

ATTENDANCE - CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 22.01.2020

NAME OF THE COMPANY: Storm Export Pvt Ltd V/s RS Infrawell India Pvt Ltd & anr

SECTION OF I & B CODE: 9 IBC

<u>Sl. NO.</u>	<u>Name</u>	<u>Designation</u>	<u>Representation</u>	<u>Signature</u>
1.	Aishwarya P. Singh	Adv.	Operational Creditor	Apsingh.
2.				

CP NO.(IB)33/ALD/2020

Sh. Aishwarya P. Singh, Advocate for the petitioner is present.

The present petition has been filed under Section 9 of IBC, 2016 by the Operational Creditor (hereinafter referred to as the petitioner) against the Corporate Debtor (hereinafter referred to as the respondent) for payment of defaulted amount of Rs.23,80,036/-, which was due for the material supplied by the petitioner to the respondent and the date of default is 31.10.2019.

The learned counsel appearing for the petitioner contends that the amount due was not paid by the respondent, despite various request, demand notice ^{was} sent by the petitioner to the respondent U/s 8 of IBC on 11.11.2019, a copy of which is appended as Annexure-12 of the paper book, which ~~was~~ returned back. It is further contended that thereafter the said notice was again sent by ^{and also by best} E-mail to the two Directors, which was received. It is also contended that no reply to the aforesaid demand notice has been made, which amounts the admission of liability. Therefore, the present petition has been filed.

It is further contend that the advance copy of the present petition has already been sent by speed post, receipt of which is on record, 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.

Put up on 10th February, 2020.

Dated: 22.01.2020

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**(JUSTICE RAJESH DAYAL KHARE)
MEMBER (J)**