

**IN THE NATIONAL COMPANY LAW TRIBUNAL : NEW DELHI**  
**COURT-III**

IB-2435 (ND)/2019

**IN THE MATTER OF**

Shri Vathsan Rammurthy

VS.

Inox FMCG Pvt. Ltd.

... OPERATIONAL CREDITOR

...CORPORATE DEBTOR

**SECTION**

Under Section 9 IBC, 2016

**Order delivered on 02.01.2020**

**Coram:**

Ch. Mohd. Sharief Tariq

Hon'ble Member (Judicial)

Shri K.K. Vohra

Hon'ble Member (Technical)

For the Petitioner/FC : Mr. Manu Yadav Advocate

For the Corporate Debtor :

**ORDER**

Counsel for the Operational Creditor is present. As seen from the Order dated 1<sup>st</sup> October, 2019, a direction was given to place on record a copy of the Agreement. However, the same is not placed on record for the reasons that the Operational Creditor is not in possession of the Agreement that was executed. However, he has a copy of the Agreement which is unsigned. It has further been submitted by the Counsel for the Operational Creditor that assuming that Agreement is not executed between the parties, the Corporate Debtor, by way of various communications has admitted the claim of the Applicant. In view of it, the Operational Creditor has made a prima facie case for issuance of notice to the Corporate Debtor. The Registry is directed to send Notice to the Corporate Debtor. The Counsel for the Operational Creditor is directed to send Private Notice to the Corporate Debtor at its Registered office by all modes.

Put up on 21.1.2020.



(K. K. VOHRA)  
MEMBER (TECHNICAL)

Surjit



(CH. MOHD. SHARIEF TARIQ)  
MEMBER (JUDICIAL)