

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

Item No.-516
IB-228/ND/2020

IN THE MATTER OF:

MEC Metal Exchange International GmbH
V/s
Dwarkesh Alloys Pvt. Ltd

....Applicant

....Respondent

SECTION

U/s 9 IBC

Order delivered on 15.04.2021

CORAM:

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

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

PRESENT:

For the Applicant

: Mr. Jayant Mehta, Sr. Adv., Ms. Poonam Verma Adv., Ms. Aparajita
Upadhyay Adv.

For the Respondent

: Mayank Mikhail Mukherjee Adv

ORDER

Partlyheard. In course of hearing, we notice that the claim of the applicant is based on the invoices but the petitioner has sent the demand notice in Form-3 whereas Rule 5(1)(b) of the ***Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016***, it is Form-4 which is required to be sent by the petitioner. Therefore, the applicant is directed to convince the bench on this point. On his request, list the matter after a week on **06.05.2021**.

-Sd/-

(K.K. VOHRA)
MEMBER (T)

-Sd/-

(ABNI RANJAN KUMAR SINHA)
MEMBER (J)