

NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH – II
CHENNAI

(18)

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI NATIONAL COMPANY LAW TRIBUNAL, HELD ON 05-01-2021 AT 10.45 A.M THROUGH VIDEO CONFERENCING:

PRESENT: SMT. R. SUCHARITHA, MEMBER (JUDICIAL)
SHRI B. ANIL KUMAR, MEMBER (TECHNICAL)

APPLICATION NUMBER :
PETITION NUMBER : IBA/374/2020
NAME OF THE PETITIONER : MAYURA'S INDUSTRIAL SERVICES
NAME OF THE RESPONDENTS : PRODEB BREWERY TECHNOLOGY BELGIUM PVT LTD
UNDER SECTION : 9 RULE 6 OF IBC, 2016

ORDER

Ld. Counsel Mr. A.G. Satyanarayana for the Applicant is present. There is no representation for the Respondent. The notice to the Respondent is not complete.

Counsel for the Applicant submits that application is filed under Section 9 of the IBC, 2016. Invoices at Page Nos. 13, 14 and 15 are beyond the period of limitation. Invoices at Page 16 filed along with the application, few invoices are barred by limitation and in some invoices, the receiver of the goods is not the Corporate Debtor before us. There is no supporting documents filed to satisfy that these goods were supplied only to the Corporate Debtor. For the pleadings also, there is no reference to the supply of goods by the Applicant to the Corporate Debtor. Documents filed with this application are not in order. The purchase orders and delivery challans does not match.

At the request of the Counsel for the Applicant, last opportunity is given to satisfy that this application is well within the period of limitation and the invoices filed therein are in respect of the Corporate Debtor.

List the matter on **10.02.2021** for further hearing.

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(ANIL KUMAR B)
MEMBER (TECHNICAL)

vs

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(R. SUCHARITHA)
MEMBER (JUDICIAL)