

NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH - I
CHENNAI

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ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, NATIONAL COMPANY LAW TRIBUNAL, HELD ON 16.09.2020 AT 10.30 AM. THROUGH VIDEO CONFERENCING:

PRESENT: SHRI R. VARADHARAJAN, MEMBER-JUDICIAL
SHRI ANIL KUMAR B, MEMBER - TECHNICAL

APPLICATION NUMBER :
PETITION NUMBER : IBA/1163/2019
NAME OF THE PETITIONER(S) : NSL WIND POWER COMPANY (PHOOLWADI) PVT LTD
NAME OF THE RESPONDENT(S) : EASTERN SPINWELL LTD
UNDER SECTION : SEC 9 OF IBC

S.No.	Name (in Capital)	Represented by	Signature
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ORDER

Ms. Indu Karunakaran, Advocate for the Petitioner is present through Video Conferencing Platform.

Pursuant to the directions issued by this Tribunal on 09.03.2020, Ld. Advocate for the Petitioner represents that an Affidavit has been filed. It is pointed out by the Ld. Advocate for the Petitioner that even though the Company is operating in the registered office of the Company but however, consistently the dispatches which are made to the said address namely, No.23, Sowripalayam Road, Sowripalayam Post, Coimbatore, Tamilnadu-641 028 as being returned with an endorsement "*Item returned Addressee cannot be located.*"

Ld. Advocate for the Petitioner represents that despite several attempts to serve the notice of the Application upon the registered office address of the Corporate Debtor the same has been returned even though the Demand Notice as required to be issued under the provisions of the Insolvency & Bankruptcy Code, 2016, has been served and reply has also been received.



This Tribunal is of the view that the service of summons of the Application is being deliberately evaded by the Respondent and in the circumstances we direct the Registry of this Tribunal to issue notice to the Corporate Debtor at its registered office address as reflected in the Petition for which necessary steps shall be taken by the Petitioner within three days from today. Post this matter on **30.09.2020**.

-SD-

(ANIL KUMAR B)
MEMBER (TECHNICAL)

-SD-

(R.VARADHARAJAN)
MEMBER (JUDICIAL)