

**NATIONAL COMPANY LAW TRIBUNAL  
NEW DELHI BENCH**

(IB) 253 (ND)/ 2017

**CORAM:**

**PRESENT: SH. S. K. MOHAPATRA  
HON'BLE MEMBER(T)**

**SMT. INA MALHOTRA  
HON'BLE MEMBER (J)**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING BEFORE NEW  
DELHI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON  
28.09.2017**

**NAME OF THE COMPANY:** M/s Software one India Pvt. Ltd. Vs. M/s Emkor  
Solutions Ltd.

**SECTION OF THE COMPANIES ACT:** 9 of IBC, 2016

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
	For the Petitioner (s) :	Mr. Ankur Gupta, Advocate		
	For the Respondent (s) :	Mr. Ayush Kapur, Advocate Mr. Ayush Sahni, Advocate Mr. Lohit Kumar Bimal, Advocate		
		Ms. Deepika V. Marwaha, Mr. Alok Pandey, Advocates for Deutsche Bank		

**ORDER**

Ld. Counsel for the Deutsche Bank submits that she shall be filing her affidavit during the course of the day wherein it has been deposed that the Bank is unable to provide a certified copy as required under Section 9(3)(C) of the Code because of the limitation of the working system between the Banks. She is discharged. Appropriate directions shall be given by the Bench in separate proceedings to the Regulator i.e. the RBI as to why the mandatory compliance of Section 9(3)(c) is not being made by the Banks and what steps are contemplated by it for directing statutory adherence to the procedure under the Code.

Ld. Counsels submit that talks of compromise are going on and pray for an adjournment. Adjourned to 3.11.2017 for final arguments. No further adjournment shall be granted.



**(S. K. Mohapatra)  
Member (T)**



**(Ina Malhotra)  
Member (J)**