

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**PRINCIPAL BENCH**

**IBC NO. (IB)-115(PB)/2017**

**IN THE MATTER OF:**

Berger Paints India Ltd. .... Applicant  
Vs.  
Vardhman Precision Profiles Tubes Pvt. Ltd. .... Respondent

**Order under Section 9 of Insolvency & Bankruptcy Code, 2016**

**Order delivered on 27.06.2017**

**Coram:**

**CHIEF JUSTICE (Retd.) M.M.KUMAR**  
**Hon'ble President**

**Ms. Deepa Krishan**  
**Hon'ble Member (T)**

For the Applicant : Mr. Rohit Kumar, Advocate

**ORDER**

On 30.05.2017, we have granted time by passing the following order:

*"There is a curable defect in the Petition as certificate from the Financial Institution maintaining accounts of the Operation Creditor-Petitioner confirming that there is no payment of the unpaid operational debt by the Corporate Debtor has not been attached as per the requirement of Section 9(3)(c) of the IBC. The same has to be furnished within the statutory period of 7 days. Let the needful be done within the time prescribed failing which the Petition will be deemed to be dismissed as incomplete.*

  


Learned Counsel for the Petitioner at the hearing has not been able to produce certificate from Financial Institution maintaining the accounts of the 'Operational Creditor' confirming that there is no payment of the unpaid operational debt by the 'Corporate Debtor', which is a mandatory requirement of Section 9(3) (c) of the IBC. Accordingly, the petition is dismissed as incomplete.

Sd -

**(CHIEF JUSTICE M.M.KUMAR)**  
**PRESIDENT**

Sd -

**(DEEPA KRISHAN)**  
**MEMBER(TECHNICAL)**