

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
PRINCIPAL BENCH

(IB)-239(PB)/2017

IN THE MATTER OF:

M/s. Baddi Foils Pvt. Ltd.

Vs.

M/s. Biotropics Pharma Pvt. Ltd.

.... Applicant/Petitioner

.... Respondent

Order under Section 9 of Insolvency & Bankruptcy Code, 2016

Order delivered on 30.08.2017

Coram:

CHIEF JUSTICE (Retd.) M.M.KUMAR

Hon'ble President

Ms. Deepa Krishan

Hon'ble Member (T)

For the Applicant : Shri Shankar Kr. Jha, Advocate
For the Respondent :

ORDER

Learned Counsel for the petitioner has placed reliance on a judgment of the Single Member Bench of the Bombay High Court rendered in the case of ***Ispat Industries Limited v. Unknown - 2005(2)BomCR 94*** and has argued that notice under Section 8 of the IBC Code is deemed to be served on the respondent by the Speed Post in as much as the item was delivered but it was unclaimed. According to the learned Counsel, this must be regarded as a good service.

Notice to show cause for 21st September, 2017 to the respondent be issued as to why this petition be not admitted.

List the matter on 21st September, 2017.

Sd/-

(CHIEF JUSTICE M.M.KUMAR)
PRESIDENT

Sd/-

(DEEPA KRISHAN)
MEMBER(TECHNICAL)