

BENCH-I

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

C.P.(IB) No. 646/KB/2017

**Present: Hon'ble Member (J) Shri Vijai Pratap Singh  
Hon'ble Member (J) Shri Jinan K.R**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 11<sup>th</sup> December 2017, 10.30 A.M**

Name of the Company	Mahendra Trading Co.-Vs- Hindustan Control Equipment Pvt.Ltd		
Under Section	9 IBC		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1. Mr. Sabyasachi Chowdhury
2. Mr. Anirban Ray
3. Mr. Rudrajit Sarkar
4. Mr. V.V.V. Sanyal
5. Ms. Deepabali Datta

Advocate for Operational  
Creditor

V.V.V. Sanyal  
11/12/2017

- ① Mrs. Sambari Chakraborty, Advocate
  - ② Mr. Soumik Chakraborty, Advocate
- } For Corporate Debtor  
Sb/H  
11/12/17

**ORDER**

Ld. Counsel for the operational creditor and corporate debtor are present.

Ld. Counsel of the operational creditor has filed the affidavit in compliance of Section 9(3)(c) along with the bank

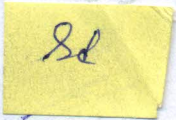


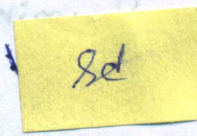
certificate, which is annexure - A, wherein it is stated that  
*"Based on the narrations available only against system statement we hereby confirm the same to be true and correct. The same is issued on specific request of the customer and holds no responsibility on any of the official of the bank or the bank itself."*

Section 9(3)(c) of the Insolvency and Bankruptcy Code, 2016 provides that operational creditor has to file bank certificate, where the operational creditor is maintaining its account, confirming that there is no payment of an unpaid operational debt by the corporate debtor. The certificate is to be issued by the bank in the same language as required under provisions of Section 9(3)(c) of the I & B Code, 2016 within 7 days from today. Petitioner is directed to obtain certified copy of this order and serve on the Indusind Bank Limited to obtain the certificate for filing in the Court.

List it on **21/12/2017** for admission.

Office is directed to immediately issue the certified copy of the order latest by 12/12/2017.

  
(Jinan K.R.)  
Member (J)

  
(V.P.Singh)  
Member (J)