

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
PRINCIPAL BENCH

C.P. No. 644/2015

IN THE MATTER OF:

Akhilesh Chandra & Anr.

.....Petitioner

v.

**Shri Sidhali Infrastructure & Construction
Company Pvt. Ltd.**

..... Respondent

SECTION : UNDER SECTION 433 (e), 434

Order delivered on 11.01.2018

Coram:

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

**S.K. MOHAPATRA
Hon'ble Member (T)**

For the Petitioner(s) : Mr. Mohit Kr. Sharma, Advocate

ORDER

Learned counsel for the petitioner has stated by placing reliance on an affidavit of service dated 02.01.2018 that service by e-mail was sent which is a permissible mode under Rule 38 (4) of NCLT Rules, 2016. The email has been sent on the address given in the master data and the same has been attached as Annexure P/1. The email clearly states that the matter is posted for hearing for today i.e. 11.01.2018 and notice of the petition has been issued. Another thing highlighted by the learned counsel is that an attempt was made to serve a copy of the dasti notice on the registered address also where one Smt. Rinki is residing who informed that she is living there as a tenant of one Mr. Sukhdev Singh who had in turn purchased the property from Punjab and Sindh Bank. The property infact was mortgaged with the Punjab and Sindh Bank.

The aforesaid facts and circumstances show that the respondents are aware of the pendency of the proceedings and in law they are deemed to be served.

Accordingly, proceeded ex-partee.
List for arguments on 01.02.2018.


**(M.M. KUMAR)
PRESIDENT**


**(S.K. MOHAPATRA)
(MEMBER TECHNICAL)**

**11.01.2018
Vineet**