

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
PRINCIPAL BENCH

(IB)-398(PB)/2017

IN THE MATTER OF:

DISH TV India Ltd.

v.

Macro Commerce Pvt. Ltd.

.....Petitioner

.....Respondent

SECTION : UNDER SECTION 9

Order delivered on 15.11.2017

Coram:

CHIEF JUSTICE M.M. KUMAR

Hon'ble President

Deepa Krishan

Hon'ble Member (T)

For the Petitioner(s): Ms. Kanika Singh, Advocate

For the Respondent(s):

ORDER

On the last date of hearing the Tribunal has passed the following orders:

“Learned Counsel for the parties are present. It is represented by the Ld. Counsel for the petitioner that in compliance to the directions dated 09.10.2017 passed by the Hon'ble Principal Bench, service has been taken and same has been served at the registered office of the Corporate Debtor. Perusal of records shows at page No.7 that receipt issued evidencing dispatch of notice on 18.10.2017 is annexed and that in relation to the said receipt, the correlating Tracking report issued by the Postal department has also been filed at page No.8 which discloses prima facie that the item has been delivered on 20.10.2017.

However, it is also represented by the Learned Counsel that E-mail notice which has been issued as reflected in the Master Data of the company as maintained by the MCA has not been served. However, taking into consideration that the notice sent by post has been served and delivered, service is complete and let the matter be posted for enquiry on 15.11.2017.

List on 15.11.2017.”

FM

11

*1
contd.*

A perusal of the aforesaid order would show that service was complete and nobody had appeared to oppose the prayer made by the petitioner. When the matter came up for hearing today again no one has put in appearance on behalf of the respondent and therefore respondent is proceeded ex-parte.

Arguments heard. Order reserved.

Sd/-
(CHIEF JUSTICE M.M. KUMAR)
PRESIDENT

Sd/-
(DEEPA KRISHAN)
(MEMBER TECHNICAL)

15.11.2017
Vineet