

## BENCH-I

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

C.P.(IB) No.523/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 09<sup>th</sup> November 2017, 10.30 A.M**

Name of the Company		Atul Rastogi-Versus-Duncans Industries Ltd.	
Under Section		9 IBC	
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1. Saumabha Ghose }  
2. Saumik Kundu } For Petitioner

Saumik Kundu  
09/11/17

1. RATNANKO BANERJI, Sr Adv }  
2. RISHAV BANERJEE, Adv } For  
3. NAIRITA DUTTA CHOWDHURY, Adv } Corporate Debtor

Rishav Banerjee  
9/11/17

**ORDER**

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


Ld. Counsel for the operational creditor submitted that though he approached the bank for compliance of Section 9(3)(c) of the Insolvency and Bankruptcy Code, 2016 but he could not obtain the required certificate from Bank. Petitioner is directed to approach again before the Bank for issuance of required certificate under Section 9(3)(c) of the Insolvency and

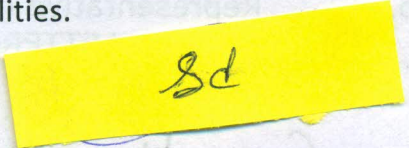


Bankruptcy Code, 2016. If the Bank does not issue such certificate, then petitioner can file affidavit to that effect so that appropriate direction can be issued to the Bank for issuance of such certificate. Petitioner is directed to serve certified copy of this order to the Bank so that they can obtain the certificate.

List the matter on 29/11/2017.

Office is directed to issue urgent certified copy of the order to the petitioner, upon compliance of all requisite formalities.

  
(Jinan K.R.)  
Member (J)

  
(Vijai Pratap Singh)  
Member (J)