

BENCH-I

NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA

C.P(IB) No. 321/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 10<sup>th</sup> November 2017, 10.30 A.M

Name of the Company	Sunil Beriwal-Vs-Bhootnath Consultancy Pvt Ltd		
Under Section	IBC		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1.	Shamayem Farish, Advocate	Operational Cred	Farish 10/11/2017
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ORDER

Ld. Counsel for the operational creditor is present. No one is present from the corporate debtor's side.

Petitioner has filed affidavit of service which shows that notice from NCLT has been served on the corporate debtor, but the corporate debtor has not put their appearance before the Court today.

Ld. Counsel for the petitioner has filed affidavit in compliance of Section 9(3)(b) and (c) of the Insolvency & Bankruptcy Code, 2016. In the affidavit it is stated that petitioner had approached the bank for issuing the certificate but could not get the same from the bank. Petitioner has further stated that bank is not issuing the certificate in compliance of section 9(3)(c) of the Insolvency and Bankruptcy Code, 2016 (IBC). It is mandatory for the



bank to issue certificate in compliance of section 9(3)(c) of the IBC.

Therefore, notice may be issued to the Bank for issuing certificate.

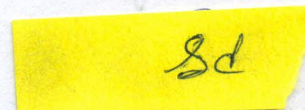
Petitioner is to serve the copy of this order on the concerned bank and file affidavit of service within 7 days and bank is further directed to issue certificate in compliance of section 9(3)(c) of the Insolvency and Bankruptcy Code, 2016.

List on 29/11/2017.

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



(Jinan K.R.)  
Member (J)



(Vijai Pratap Singh)  
Member (J)