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BENCH-I

NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA

C.P.(IB) No.531/KB/2017

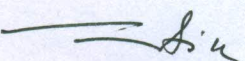
Present: Hon'ble Member (J) Shri Vijai Pratap Singh  
Hon'ble Member (J) Shri Jinan K.R

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 14<sup>th</sup> November 2017, 10.30 A.M

Name of the Company	Priyotosh Paul-Versus-KND Engineering & Technologies Ltd.		
Under Section	9 IBC		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1. Mr. RATNANKO BANERJI  
SR. ADV  
2. Mr. V. Chakrabarty  
Adv  
3. Mr. T. Aiv  
Adv

Respondent

  
14.11.2017

Nilay Sengupta

Petitioner

Nilay Sengupta  
advocate

14.11.2017

ORDER

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

Ld. Counsel for the operational creditor in compliance of the provisions of Section 9(3)(c) of the Insolvency and Bankruptcy Code, 2016 has not filed certificate as required under the above provisions. Operational creditor has filed an affidavit wherein it is stated that Bank has not issuing



certificate to the effect as to whether such admitted dues has been remitted by the corporate debtor or not.

As per provisions of Section 9(3)(c) of the Insolvency and Bankruptcy Code, 2016 a certificate is to be issued from the Bank maintaining account of the operational creditor confirming that there is no payment of the debt by the corporate debtor. Notice may be issued to the Kotak Mahindra Bank for issuing certificate in compliance of provisions of section 9(3)(c) of the Insolvency and Bankruptcy Code, 2016. Copy of this order may be served by the petitioner on the Kotak Mahindra Bank. Petitioner is directed to obtain certified copy of this order, serve the same on the Kotak Mahindra Bank and file affidavit of service within 7 days from today. It is expected from the Bank that they should issue certificate in compliance of provisions of Section 9(3)(c) of Insolvency and Bankruptcy Code, 2016.

List on 11/12/2017 for admission.

Certified copy of this may be issued on priority basis, if applied for, upon compliance of all requisite formalities.



(Jinan K.R.)  
Member (J)



(Vijai Pratap Singh)  
Member (J)