

**IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
SPECIAL BENCH**

CP/CA. No. 1085/2015

IN THE MATTER OF:

M/s Iberhospitex S. A.

....

PETITIONER

Vs.

M/s Manju Enterprises Pvt. Ltd.

....

RESPONDENT

SECTION:

Under Section 433(e), 434 & 439

Order delivered on 21.07.2017

Coram:

**R. VARADHARAJAN
HON'BLE MEMBER (JUDICIAL)**

**DEEPA KRISHAN
HON'BLE MEMBER (TECHNICAL)**

For the Petitioner :- Mr. Gaurav Kumar Singh, Advocate

For the Respondent :-

ORDER

Learned Counsel for the petitioner is present. On a perusal of the petition and documents filed it is seen that the notices of dispute if any received as well as copy of the certificate of the financial institution regarding the unpaid debt has not been filed and thereby noncompliance with the provision of the Insolvency and Bankruptcy Code, 2016. An Opportunity is granted to the Operational Creditor of seven days to rectify all the defects, including one above, failing which, the petition will stand rejected in terms of proviso to sub section (5) of section 9 of the Insolvency and Bankruptcy Code, 2016.

Posted the matter on 2nd August, 2016

- Sd -

**(DEEPA KRISHAN)
MEMBER (TECHNICAL)**

Sd/-

**(R. VARADHARAJAN)
MEMBER (JUDICIAL)**