

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

C.P. No. 168 /2017

**Present: Hon'ble Member (J) Shri Vijai Pratap Singh  
Hon'ble Member (T) Shri S.Vijayaraghavan**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 23<sup>rd</sup> March, 2017, 10.30 A.M**

Name of the Company		Naresh Kumar & Company Pvt.Ltd. -Versus- Kalyanpur Cements Limited.	
Under Section		<b>9</b>	<b>I B C</b>
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

Mr. K.N. JANA  
Advocate

For the Petitioner  
23/3/2017

**ORDER**

*[Signature]*  
23/3/2017

Ld. Counsel for the petitioner is present.

Petitioner has filed this petition under section 9 of the IBC, 2016. He has annexed the copy of the notice which is served on the respondent Corporate Debtor which is at page 62 of the petition. But this notice is not in form No.3 under sub-clause (a) of sub-rule (1) of Rule 5 of the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016. Before filing a petition u/s. 9 of IBC, 2016 notice in Form 3 is to be served on the Corporate Debtor 10 days in advance. Therefore, we hereby direct the petitioner to serve notice on the Corporate Debtor in prescribed Form 3 of Insolvency and

Bankruptcy (Application to Adjudicating Authority) Rules, 2016 within  
7 days.

List the matter on 10/04/2017 for hearing on admission.

*Sd/-*

(S. Vijayaraghavan)  
Member (T)

*Sd/-*

(Vijai Pratap Singh)  
Member (J)