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**Bench No. I**

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

CP(1B) NO.365/KB/17

Present: Hon'ble Member (J) Shri Vijai Pratap Singh

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 26<sup>th</sup> July, 2017, 10.30 A.M.

Name of the Company		Eastern Electrodes & Coke Pvt Ltd -Vs- J & C Ferro Alloys (P) Ltd.	
Under Section		7 IBC	
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1. ABHISHEK JAIN,  
ADY

Applicant?

Asuncion, Jr.  
26.07.17

2. HEENAKSHI MANOT  
ADV

Applicant

## ORDER

Ld. Counsels for the petitioner are present.

This application has been filed by the operational creditor under section 9 of the IBC. Petitioner has filed the affidavit regarding service of notice which shows that notice was served on the corporate debtor on 30/06/2017, but in that no date is mentioned. In view of the law laid down by the Hon'ble NCLAT in **Innovative Industries Ltd. –versus- ICICI Bank**, notice is to be sent to the corporate debtor before admitting the case.

In the circumstances, Registry is hereby directed to issue notice on the corporate debtor, which is to be handed over to the petitioner for serving on the corporate debtor. Petitioner is directed to receive the notice from the office for serving it on the corporate debtor through speed post as well as by hand delivery and file affidavit of service within 7 days.

List the matter on 07/08/2017.

*Sd/*

(Vijai Pratap Singh)  
Member (J)