

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**PRINCIPAL BENCH**

**(IB)-271(PB)/2017**

**IN THE MATTER OF:**

Srei Equipment Finance Ltd.

.... Applicant/Petitioner

Vs.

Wianxx Impex Pvt. Ltd.

.... Respondent

**Order under Section 7 of Insolvency & Bankruptcy Code, 2016**

**Order delivered on 10.10.2017**

**Coram:**

**CHIEF JUSTICE (Retd.) M.M.KUMAR**  
**Hon'ble President**

**Ms. Deepa Krishan**  
**Hon'ble Member (T)**

For the Petitioner/Applicant : Mr. Sanjay Bhatt, Ms. Srishti Kapoor, Advs.

For the Respondent : Mr. Rajat Bhardwaj, Adv.

**ORDER**

The erstwhile learned Counsel for the respondent, Shri Rajat Bhardwaj has apprised the Tribunal that he has received a copy of the petition but he is not in a position to appear for the respondent as he has no instructions.

The affidavit of service has been filed. It reveals that service by electronic media, i.e. on email address given in the master data has been effected as is evident from paras 3 & 4 of the affidavit dated 6<sup>th</sup> October, 2017.

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Despite service by email, no one has put in appearance. From the order passed earlier, it appears that the Director of the company was in Tihar Jail and were later shifted to some other jail. The petitioner tried to serve him in jail but failed. It is, therefore, not possible to serve the respondent by an ordinary process. Let the respondent be served by substituted service in accordance with Rule 36 of the NCLT Rules, 2016 read with Order-V Rule 20 of the CPC. Steps be taken in that regard.

List again on 14<sup>th</sup> November, 2017.

Sd/-

(CHIEF JUSTICE M.M.KUMAR)  
PRESIDENT

Sd/-

(DEEPA KRISHAN)  
MEMBER(TECHNICAL)

10.10.2017  
V. Sethi