

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

T.C.P No.451/(MAH)/2017
CA No.



CORAM:

Present: SHRI M.K. SHRAWAT
MEMBER (J)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF
THE NATIONAL COMPANY LAW TRIBUNAL ON 03.05.2017

NAME OF THE PARTIES: Suparshva EXIM Pvt.Ltd.
V/s.
Sanghavi Star Retail Pvt. Ltd.

SECTION OF THE COMPANIES ACT: I & BP Code 2016.

| S. No. | NAME | DESIGNATION | SIGNATURE |
|--------|------------------|----------------|---|
| 1 | Dipesh U. Saroja | Adm. In-charge |  3/5/17 |
| 2 | P. G. Das | Respondent |  3/5-17 |

ORDER

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1. From the side of the Learned Representative Mr. Dipesh U. Saroja appeared and stated that the compliance as per the ^{Insolvency} Code of Service of Form No. 5 and Notice of Demand has been completed. However, there is no response from the side of the Operational Debtor.
2. From the side of the Operational Debtor, Learned Representative has stated that due to personal reasons the Representative on record is unable to attend the Court today.

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3. It is noticed that in view of an already executed MOU dated 28.03.2016 placed in the Petition, the Respondents should have made the payment to the Operational Creditor by now. However, on one pretext or other no payment had been made.
4. The factual position is that the Operational Debtor has admitted the outstanding amount or the debt hence according to the Records there is no dispute of the said debt.
5. The debtor is hereby directed to make the payment on or before 30th May, 2017 and in case of default the provisions of Sections 8 and 9 of the Insolvency Code shall be in operation.
6. After hearing the parties the matter is now listed for hearing to **5th June 2017**.

Dated: 03.05.2017

Sd/-
M.K. Shrawat
Member (Judicial)