

**NATIONAL COMPANY LAW TRIBUNAL,  
CHANDIGARH BENCH, CHANDIGARH.**

**CP No.8/2016.**

**RT No.9/Chd/Pb./2017.**

**In the matter of:**

M/s Wanbury Ltd.

....Petitioner.

Versus.

M/s Papacea Biotech Ltd.

....Respondent.

Present: Mr.C.S.Chauhan, Advocate with Mr.A.P.S.Sindhu,  
Advocate for the petitioner.  
Mr.Vikas Garg, Advocate for Mr.Atul Sood, Advocate  
for the respondent.

The petitioner has filed application in Form 5 of the  
Insolvency & Bankruptcy (Application to Adjudicating Authority) Rules,  
2016, copy of which has already been supplied to the learned counsel  
appearing for the respondent.

Having heard the learned counsel for the petitioner, we  
find that there are following defects, which the applicant is required to  
remove:

- i) To file resolution of the applicant company/operational creditor that Mr. Ravi Kant Alhat son of Keshav Alhat has been authorised by the company to accept the service of the process on its behalf.
- ii) To file affidavit of authorised representative to the effect that there is no repayment of the unpaid operational debt and that no notice of any dispute has been received by the applicant company/operational creditor. The affidavit would further state that no notice of the dispute has been given by the Corporate Debtor relating to a dispute of the unpaid operational debt.



Learned counsel for the applicant has accepted the notice of the aforesaid defects for making compliance. The defects be removed within seven days from today and the matter be listed on the next working day, after the defects are removed.

Sd/-  
(Justice R.P.Nagrath)  
Member (Judicial)

Sd/-  
(Deepa Krishan)  
Member (Technical).

April 03, 2017.

✓ Ashwani