

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

CP (IB) NO. 46/Chd/Hry/2017

**Under Section 10 of I.B.C., 2016
read with Rule 7 of the I & B
(Application to Adjudicating
Authority) Rules, 2016.**

In the matter of:

Isha Decor Solutions India Pvt. Limited.Corporate Applicant-Debtor.


Present: Mr. G.S. Sarin and Mr. P.D. Sharma, Practising Company
Secretaries for the applicant.

Mr. G.S. Sarin, Authorised Representative for the Corporate applicant-Debtor submits that compliance of order dated 24.07.2017 has been made by the petitioner by way of filing affidavit dated 31.07.2017 of Authorised Representative of the applicant Mr. Gaurav Bhardwaj. There is another affidavit dated 31.07.2017 in which it is stated that agreement was terminated by BoConcept long back and they have not claimed any amount from the petitioner. Copy of the agreements dated 06.07.2017, 02.05.2011 and 10.04.2012 which were entered with BoConcept have also been filed. A separate affidavit dated 31.07.2017 (Annexure-D page-167) has also been filed stating therein about the compliance of sending notice to the Financial Creditors along with the Postal Receipts and the track reports of the Postal Department. These track reports show that the documents were delivered to Earthwise Retail and Holdings Private Limited on 29.07.2017 and there is no representation from this creditor. The other Financial Creditor is Global Tech Park for whom the track report was upto the period 29.07.2017 but Mr. Sarin, Authorised Representative has handed over further track report upto

Accepted

31.07.2017 showing that the postal article was delivered on 31.07.2017. The same be taken on record. Mr. Sarin states that these two Financial Creditors are not to file any objections and has requested for filing affidavit accompanied with the copies of resolution of Board of Directors of both the Financial Creditors. Let the needful be done by 10.08.2017.

Along with the additional documents, the record of agreements entered into with Ariane Kiranbhai Thakore and Kiranbhai Jayantilal Thakore has also been filed along with copy of claim statement showing that these persons have filed arbitration proceedings. From the above, it seems that these two persons will be affected if any order is passed by this Tribunal. Therefore, notice to these above mentioned two persons for 22.08.2017 to show cause as to why this petition be not admitted. The Applicant shall collect the notice from the Registry, send the notice to above mentioned two persons along with copy of petition and entire Paper Book by Speed Post and also by email immediately and to file affidavit stating compliance along with postal receipt, track report and copies of emails at least three days before the date fixed.



(Justice R.P.Nagrath)
Member (Judicial)

August 04, 2017
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