

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

CP (IB) NO. 71/Chd/Hry/2017

Shrivarad Polyfab (P) LimitedPetitioner-Operational Creditor.

Versus

Olam Agro India Private LimitedRespondent-Corporate debtor

Present: Mr. Vivek Dalal, Advocate for petitioner/Operational Creditor.
None for respondent/Corporate Debtor.

It is *inter alia* contended that vide the disputed invoices, 3,20,000 bags were admittedly supplied to the respondent-Corporate Debtor but the respondent sent the debit note only questioning the quality of 56,000 bags and that debit note is at page 210 of the Paper Book. It is further submitted that the petitioner sent an e-mail at page 92 of the Paper Book on 23.03.2017 after the debit note intimating the Corporate Debtor that the petitioner was sending its vehicle for bringing back those 56,000 bags but the Corporate Debtor vide email dated 24.03.2017 asked the petitioner for the time being not to send the vehicle and thereafter C Form was also issued on 20.06.2017. It is contended that in respect of all the seven disputed invoices pertaining to 3,20,000 bags, no amount has been paid by the Corporate Debtor.

Notice of the petition to the respondent-Corporate Debtor for 03.10.2017 to show cause as to why this petition be not admitted. It be also mentioned in the notice that the respondent-Corporate Debtor may file reply/objections to the petition at least a week before the date fixed with copy advance to the counsel opposite. The petitioner shall send notice by collecting the same from the Registry by Speed Post along with copy of the petition and also at the e-mail address available on the master data of the Corporate

Debtor immediately and file affidavit of service along with postal receipt and track report of the Post Office and also copy of the e-mail a week before the date fixed.

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

September 08, 2017
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