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## NATIONAL COMPANY LAW TRIBUNAL CHANDIGARH BENCH, CHANDIGARH

## CP (IB) NO. 123/Chd/CHD/2017

Under Section 7 of the Insolvency and Bankruptcy Code, 2016.

Phoenix Arc Private Limited

....Applicant-Financial Creditor.

Versus

Sarbat Cotfab Private Limited

....Respondent-Corporate Debtor.

Present:

Mr. Suresh Dutt Dobhal & Ms. Divya Sharma, Advocates for

Applicant-Financial Creditor.

Mr. Sangram Patnaik, Advocate for Respondent-Corporate

Debtor.

The petitioner has filed compliance affidavit along with two certificates under the Bankers Books Evidence Act in respect of two loan accounts in compliance with the order dated 12.11.2017. The same be taken on record.

The respondent filed response to the petition in the Registry on 09.01.2018 whereas it was directed to be filed at least a week before the date fixed. The copy of the reply has been supplied to the learned counsel for the petitioner but the learned counsel for the respondent also contended that copy thereof was also sent by e-mail to the counsel for the petitioner on 09.01.2018. The reply be taken on record. Learned counsel for the petitioner seeks time to go through the reply to the petition and to file rejoinder, if any.

Learned counsel for the respondent further submits that he has filed separate application vide diary No. 68 dated 09.01.2018 but the same has not been listed. The learned counsel for the respondent would verify

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reasons from the Registry for not listing the application. Copy of the said application has, however, been supplied to the counsel for the petitioner.

The petitioner is directed to file reply to this application also, as well as the rejoinder, at least two day before the date fixed with copy advance to the counsel opposite by e-mail.

Learned counsel for the parties have advanced arguments in part.

List the matter on 19.01.2018 for continuation of arguments. No request for further adjournment shall be entertained.

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

January 10, 2018