## NATIONAL COMPANY LAW TRIBUNAL CHANDIGARH BENCH, CHANDIGARH

## CA No.150/2017 IN CP (IB) No. 39/Chd/Pb/2017

## In the matter of:

Sunrise 14 A/S, Denmark ... Applicant/Financial Creditor

Vs.

Muskaan Power Infrastructure Ltd. ... Corporate Debtor

Present: Mr. P.D. Sharma and Mr. G.S. Sarin both Practising Company Secretaries for petitioner. Mr. Jalesh Grover, Resolution Professional. Mr. J.S. Miglani, respondent No.4 in person.

In this petition the Resolution Professional has alleged non-

cooperation by the respondents and prayer is made for direction from this Tribunal under sections 19(2) and 19(3) of the Insolvency and Bankruptcy Code, 2016. Advance copy of the application was sent by the applicant to all the four respondents including the Company by Speed Post. All the four track reports have been handed over by the Authorised Representative of the petitioner which show that the item was delivered to the corporate debtor and to Mr. J.S. Miglani who statedly represented himself to be H R Manager on behalf of the company. Neeraj Mahajan and Ravi Mahajan, respondents No.2 and 3 refused to accept the delivery of the postal article.

Thereafter the notice was directed to be served upon respondents No.2 and 3 and direction was issued to respondent No.4 to appear in person but notices were returned with a report made by the

CA No.150/2017 IN CP (IB) No. 39/Chd/Pb/2017 Processing Agency that Neeraj Mahajan and Ravi Mahajan had left the address. These reports were filed with the compliance affidavit of the applicant filed in the registry on 06.10.2017.

On the last date of hearing for which the notices were issued, Mr. Harinder Pal Singh, Advocate had put in appearance and filed Memo of Appearance. He also prayed that the Power of Attorney will be filed in due course. The direction was issued for respondents No.2 and 3 to file their affidavits stating that they have complied with the instructions of Resolution Professional failing which they were directed to appear in person.

Now issue bailable warrants against respondents No.2 and 3 in the sum of ₹10,000/- (with one surety of the like amount) for their appearance for 06.11.2017. The applicant is directed to collect bailable warrants from the registry and it be delivered to the Commissioner of Police, Ludhiana to get the same executed. Mr. J.S. Miglani, respondent No.4 seeks time to file reply to the instant application. It is directed that reply be filed with copy advance to the counsel opposite at least two days before the date fixed.

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

October 13, 2017 arora

CA No.150/2017 IN CP (IB) No. 39/Chd/Pb/2017