

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

CP (IB) No.44/Chd/Pb./2017

In the matter of:

Lajjya Steels Ltd.

....Petitioner/Operational Creditor.

Versus.

Mahajan Engineering Works Pvt. Ltd.

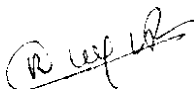
....Respondent/Corporate Debtor.

Present: Mr.Rakesh Bhatia, Advocate for petitioner/Operational Creditor.

This is a petition under Section 9 of the Insolvency & Bankruptcy Code, 2016 filed by the Operational Creditor. Learned counsel for petitioner submits that all the invoices in respect of the transactions have been sent along with the demand notice to the Corporate Debtor. Notices were sent by registered post vide Annexure-4 and there are the track reports showing delivery of the item to the respondent.

Having heard the learned counsel for petitioner, the following defects are found:-

- i) Fresh affidavit dated 07.07.2017 in support of application bears some additions without those additions being attested by the Notary Public, therefore, the petitioner is required to file a fresh affidavit;
- ii) There is no certificate by the Financial Institution in terms of the mandatory requirement of Section 9 (3) (c) of the IB Code, 2016; and



- iii) Affidavit of the authorised representative that no notice of the dispute relating to the unpaid operational debt has been received from the Corporate Debtor is also not in prescribed format and there is a general verification that the statement in the affidavit is to the best of my knowledge and belief, which is not proper.

Notice of these defects to the petitioner and the same is accepted by learned counsel for petitioner. Let the same be removed within seven days.

Notice of hearing of this petition be also sent to the Corporate Debtor for 27.07.2017. The petitioner would despatch the notice by obtaining the same from the Registry by attaching copy of petition by speed post forthwith and file an affidavit stating the compliance, 'Dasti' as well. Along with the affidavit of compliance, the postal receipt and the track report of the postal department showing despatch of notice by speed post and also the track reports of post office be attached. The compliance by way of filing affidavit be made at least a day before the date fixed.

Sd/-

— (Justice R.P.Nagrath)
Member (Judicial)
Adjudicating Authority.

July 18, 2017.

Ashwani