

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

**CP (IB) No.137/Chd/Hry/2017**

Surpreme Infrastructure India Ltd. ... Petitioner/Operational Creditor

Vs.

Ramaprashta Promoters &  
Developers Pvt.Ltd.

...Respondent/Corporate Debtor

Present: Mr. Anand Chhibbar and Mr. Akshay Bhan, Senior Advocates  
with Mr.Gaurav Mankotia, Advocate for petitioner.

Having heard learned senior counsel for petitioner, it is noticed that the affidavit filed in terms of clause (b) of sub-section (3) of Section 9 of the Insolvency and Bankruptcy Code, 2016 does not comply with the requirement of provisions. Clause (b) of sub-section (3) of Section 7 of the Code requires furnishing of affidavit to the effect that there is no notice given by the corporate debtor relating to dispute of unpaid operational debt. The affidavit referred to at page 409-A of the paper book indicates that no notice of dispute in terms of Section 8(2) of the I&B Code has been received by the petitioner company to its demand notice dated 09.09.2017 which does not comply with the said provision. The petitioner has also not attached copy of the ledger account maintained by the petitioner in respect of the corporate debtor. Notice of these defects to the petitioner. Mr.Gaurav Mankotia, Advocate accepts notice of these defects on behalf of the petitioner. Let fresh affidavit to comply with Section 9(3)(b) of the I&B Code, 2016 and copy of the ledger account duly attested be filed within 7 days.

The matter be now listed on 09.01.2018.

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

December 21, 2017

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