

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

C.P No. 46/(MAH)/2017

CORAM:

Present:

SHRI B.S.V. PRAKASH KUMAR
MEMBER (J)

SHRI V. NALLASENAPATHY
MEMBER (T)

ATTENDENCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF
THE NATIONAL COMPANY LAW TRIBUNAL ON 01.05.2017

NAME OF THE PARTIES: *Arch*
All Area India *private ltd.*
V/s.
S S Facades *private ltd* *N*

SECTION OF THE COMPANIES ACT: I & BP Code 2016.

S. No.	NAME	DESIGNATION	SIGNATURE
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Sameer K. Chaudankar

*Advocate for
the petitioner*

[Signature]

ORDER

CP 46/I&BP/NCLT/MUM/MH/2017

This bench last time posted this matter directing the operational creditor to obtain certificate confirming that there is no payment of unpaid operational debt from the financial institution maintaining the account of the operational creditor but whereas the counsel of the operational creditor states that they could not place that certificate as the Bank has not issued such certificate despite the operational creditor requested Indian Overseas Bank, Kalbadevi Branch, Mumbai, in view of this submission, this bench hereby clarifies that for filing petition under section 9, it is explicitly requisite under law to place a certificate of the financial institution maintaining the account of the operational creditor as specified under section 9 2(c) of the Insolvency & Bankruptcy Code.

At request of the operational creditor counsel, list this matter on 3rd May 2017 to place the certificate from the financial institution i.e. the Indian Overseas Bank, above mentioned immediately i.e. on or before 03-05-2017.

List this matter on 03-05-2017.

Sd/-
V. NALLASENAPATHY
Member (T)

Sd/-
B.S.V. PRAKASH KUMAR
Member (J).