

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

C.P No. 1521/(MAH)/2017

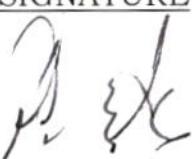
CORAM: Present: SHRI B.S.V. PRAKASH KUMAR
 MEMBER (J)

SHRI V. NALLASENAPATHY
 MEMBER (T)

ATTENDENCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF
 THE NATIONAL COMPANY LAW TRIBUNAL ON 17.11.2017

NAME OF THE PARTIES: ABV & Company
 V/s.
 The MobileStore Pvt. Ltd.

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

S. No.	NAME	DESIGNATION	SIGNATURE
1)	Adv. Sumanth Anchan alw Adv. Archana Shah for Corporate Debtor		
2.	AKASH MENON ADVOCATE FOR OPERATIONAL CREDITOR		

ORDER

CP No.1521 / I&BP/NCLT/MB/MAH/2017

First Call : None Present. Pass over.

Second Call: Looking at this Petition, this Bench is of the view that it is imperative to look into the financials of the company before passing an order in this case because there is not even a single email correspondence between the Petitioner and the Corporate Debtor though time has geared up to communicate through email more than having conventional correspondence between the parties.

Contd...2/-

By hearing the Corporate Debtor Counsel, it appears that the Company is already indebted to more than ₹130 crores to various banks and authorities. This Petitioner filed this Company Petition claiming as services rendered to this company in respect to the CST implementation by entering into a contract in the month of December, 2016. By seeing all this correspondence without even any postal proof to show that communication happened between the parties, it is beyond our comprehension to believe that it is a genuine petition filed against the Corporate Debtor herein.

To ascertain and decide this Petition, the Corporate Debtor is hereby directed to file audited financials of the company by next date of hearing.

List this matter on 1.12.2017.

Sd/-

V. NALLASENAPATHY
Member(Technical)

Sd/-

B. S. V. PRAKASH KUMAR
Member (Judicial)