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NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

T.C.P No. 803/2017/(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 18.08.2017

NAME OF THE PARTIES:

Ultra Drytech Engineering Ltd.
V/s.
Seya Industries Ltd.

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

S. No.	NAME	DESIGNATION	SIGNATURE
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Adv. Kunal ~~Kanungo~~ Kanungo
For Defendant

(V)

Adv. Amir Jaiswal / Aniruddh Pandey
for R. M. Pande & Co

AB

For Petitioner

ORDER

TCP No. 803/I&BP/NCLT/MB/MAH/2017

Both Counsel for the Petitioner as well as Corporate Debtor are present.

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Petitioner's Counsel stated that the Form 5 has already been submitted except Bank certificate reflecting the last payment entry from the Corporate Debtor.

It is needless to say that Banks have to invariably issue Certificate when Statute has given explicit mandate to the Banks to issue Certificate to the Operational Creditor as mentioned in section 9(3)(c) of the I&B Code.

This Bench is of the view that this Bank will issue Certificate by seeing this Order and on seeing the provisions of law, failing which, the Petitioner is at liberty to mention the same before this Bench.

List this matter on **11.09.2017**.

Sd/-

V. NALLASENAPATHY
Member (Technical)

Sd/-

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