

IN THE NATIONAL COMPANY LAW TRIBUNAL : NEW DELHI
COURT-III

IB-48/ND/2018

In the matter of :

Mr. R. Mangalam

....PETITIONER

Vs.

SPML Infra Ltd.

.. RESPONDENT

SECTION :

Under Section 7 of IBC Code, 2016

Order delivered on 16.1.2018

Coram :

R. VARADHARAJAN,

Hon'ble Member (Judicial)

For the Petitioner /applicant : Mr. R. Subramanian, Advocate

For the Respondent/Corporate Debtor :

For the Intervener :-

ORDER

Learned Counsel for the Petitioner is present and moves this Petition. Ld. Counsel for the petitioners represents that filing of this petition under Section 7 of the IBC, 2016 arises out of non-payment of subscription money paid by the Financial Creditor subscribing to the debentures issued by Corporate Debtor. It is further represented by the Ld. Counsel for the petitioner that an advance copy of this petition has been duly dispatched to the Corporate Debtor on 22.12.2017 itself. It is also represented by the Ld. Counsel for the petitioner that the same has been served. However, the Tracking report in relation to the dispatch of same, as evidenced from the postal receipts annexed along with typed set of documents on 22.12.2017 has not been enclosed.

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In the circumstances, the petitioner is directed to file an affidavit of service in relation to the actual service of notice of this Application upon the Corporate Debtor. In addition, the petitioner is also directed to take one more notice in relation to the next date of hearing. The Corporate Debtor to show cause as to why this petition should not be admitted and the Corporate Insolvency Resolution Process should not be initiated against the Corporate Debtor.

List on 01.2.2018.

- Sd/-

(R. VARADHARAJAN)
MEMBER (JUDICIAL)

Surjit
16.1.2018