

IN THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH (COURT – II)
(Through Hybrid Mode)

Item No. 4

C.P. (IB)/102(CH)2024

IN THE MATTER OF:

Eximcorp India Private Limited

...Petitioner-Operational Creditor

Versus

**Fischers Modular Fixtures
Private Limited**

...Respondent-Corporate Debtor

Under Section: 9, IBC 2016

Order delivered on 29.04.2024

CORAM:

**SHRI. SATYA RANJAN PRASAD,
HON'BLE MEMBER (T)**

**SHRI. P.S.N. PRASAD,
HON'BLE MEMBER (J)**

PRESENT:

For the Petitioner : Mr. Umang Goyal, Advocate.

ORDER

Heard the submissions made by the learned counsel for the Petitioner-Operational Creditor. The Hon'ble High Court of Punjab and Haryana vide its decision dated 20.07.2022 directed the parties and their counsels to appear before the National Company Law Tribunal, Chandigarh Bench and exemption is granted to the petitioner for serving Section 8(1) notice on the Corporate Debtor. Let notice be served to the corporate debtor.

Heard. Issue notice of this petition to the respondent-corporate debtor for 03.06.2024 to show cause as to why this petition be not admitted. The petitioner shall collect the notice from the Registry and send the same immediately to the respondent-corporate debtor at its registered address by

speed post along with copy of petition and the entire paper book and the copy of this order as well as at the email address of the respondent-corporate debtor, as available on the master data of the company.

In case, the service of speed post on the corporate debtor is not effected, the petitioner shall adopt the mode of substituted service and the notice of hearing be advertised in two daily newspapers (one English and one Hindi) having wide circulation in the area and file affidavit of service along with copy of postal receipt, tracking report, copy of email and paper clippings, if applicable, within three weeks.

The corporate debtor is given the opportunity of filing reply, if any, within two weeks after receipt of notice with a copy in advance to the counsel opposite and rejoinder thereto, if any, be filed two weeks thereafter with a copy in advance to the counsel opposite.

In the meantime, the counsel for the petitioner may clarify regarding the pecuniary jurisdiction with the support of any of the orders of National Company Law Tribunal, Principal Bench. Post this matter after two weeks.

List on 03.06.2024.

Sd/-
(SATYA RANJAN PRASAD)
HON'BLE MEMBER (T)

Sd/-
(DR. P.S.N. PRASAD)
HON'BLE MEMBER (J)