

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

Item No. 113
(IB)-87(PB)/2019

IN THE MATTER OF:

M/s. Duke Sponge and Iron Pvt. Ltd. Applicant/petitioner

Vs.

M/s. Laxmi Foils Pvt. Ltd. Respondent

Order under Section 9 of Insolvency & Bankruptcy Code, 2016

Order delivered on 18.02.2019

Coram:

CHIEF JUSTICE (RTD.) M. M. KUMAR
HON'BLE PRESIDENT

S.K. MOHAPATRA,
HON'BLE MEMBER (TECHNICAL)

PRESENT:

For the Petitioner(s):-

Mr. A.K. Vali, Mr. A.S Narang, Advs.

For the respondent

Mr. K. Datta, Mr. Rahul Gupta, Advs.

ORDER

Learned counsel for the petitioner has argued that in reply to the notice of demand, a reference has been made to debit notes and those debit notes are patently false. In order to substantiate the aforesaid assertion Mr. Narang, learned counsel for the petitioner has made a reference to C Forms which are issued under the Central Sales Tax (at pgs. 248 & 254) to show that there is no reference of any debit note in those forms which are issued much after the debit notes.

Mr. Datta learned counsel for the corporate debtor seeks and is granted one week time to seek instructions and if possible then to settle the dispute.

List on 26.02.2019.

Sd/-

(M. M. KUMAR)
PRESIDENT

Sd/-

(S.K. MOHAPATRA)
MEMBER (TECHNICAL)