

**IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI**  
**COURT-V**

**Item No.-102**  
IB-522(ND)2020

**IN THE MATTER OF:**

Desire Infrabuild Pvt Ltd

**Vs**

Oyo Apartments Investments LLP

....Applicant

....Respondent

**SECTION**

U /s. 9 of (IBC)

Order delivered on 18.02.2020

**CORAM:**

**SHRI ABNI RANJAN KUMAR SINHA**  
**HON'BLE MEMBER (JUDICIAL)**

**SHRI K.K. VOHRA,**  
**HON'BLE MEMBER (TECHNICAL)**


**PRESENT:**

For the Applicant : Adv. Ayush Sharma  
For the Respondent : Adv. Yogank Goel

**ORDER**

Ld. Counsel for petitioner submitted that the demand notice sent through speed post/courier was not delivered as opposite party shifted their registered office whereas the petitioner sent the same through the e-mail address mentioned on the MCA Website but the petitioner fails to convince us whether the same e-mail address is either of the three persons mentioned in under Section 5(2)(b) Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016.

Ld. Counsel for petitioner seeks time to convince us on the abovementioned point. List the case on **04.03.2020**, as prayed for.

  
**(K.K. VOHRA)**  
**MEMBER (T)**

  
**(ABNI RANJAN KUMAR SINHA)**  
**MEMBER (J)**

**(Chirag)**