

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

Item No.-502
IB-2083/ND/2019
New IA/143/2021

IN THE MATTER OF:

M/s Modern Credit Pvt Ltd

V/s

M/s KPG International Pvt Ltd

....Applicant

....Respondent

SECTION

U/s 7 of IBC

Order delivered on 21.01.2021

CORAM:

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

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

PRESENT:

For the Applicant

: Advocate Sandeep Thukral for Applicant

For the Respondent

: Manoj Kumar Garg, Advocate for RP

ORDER

IA/143/2021:-

Ld. Counsel for the RP is directed to file the reply within one week from today. List on
12.02.2021.

Sd/-

(K.K. VOHRA)
MEMBER (T)

Sd/-

(ABNI RANJAN KUMAR SINHA)
MEMBER (J)

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

Item No.-503
IB-2083/ND/2019
IA/4279/2020

IN THE MATTER OF:

M/s Modern Credit Pvt Ltd

V/s

M/s KPG International Pvt Ltd

....Applicant

....Respondent

SECTION

U/s 7 of IBC

Order delivered on 21.01.2021

CORAM:

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

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

PRESENT:

For the Applicant

:

For the Respondent

: Manoj Kumar Garg, Advocate for RP

ORDER

IA/4279/2020:-

By filing this application, the Suspended Board of Director prayed for exemption of the Director of the Suspended Board of Corporate Debtor from filing attested response affidavit and allow the present application by taking response affidavit on record.

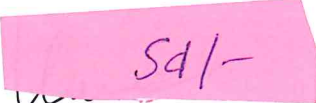
Heard , Ld. Counsel submitted that since the Suspended Board of Directors is at present in Australia therefore, the affidavit could not be attested by the Oath Commissioner or Notary, so, they may be permitted to place on the record the document without being attested by the persons concerned.

Considering the submissions and averments made in the application, we are of the considered view that unless the affidavit is sworn before the Oath Commissioner or Notary, it cannot be treated as an affidavit, so we are unable to accept this prayer. In the overseas countries, there is facility for



attestation through Embassy Consulate General of India; accordingly, the prayer of the applicant is hereby rejected.

With this order, the present application i.e. IA/4279/2020 stands disposed of.


(K.K. VOHRA)
MEMBER (T)


(ABNI RANJAN KUMAR SINHA)
MEMBER (J)

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

Item No.-504
IB-2083/ND/2019
IA/2715/2020

IN THE MATTER OF:

M/s Modern Credit Pvt Ltd

V/s

M/s KPG International Pvt Ltd

....Applicant

....Respondent

SECTION

U/s 7 of IBC

Order delivered on 21.01.2021

CORAM:

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

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

PRESENT:

For the Applicant

:

For the Respondent

: Manoj Kumar Garg, Advocate for RP

ORDER

IA/2715/2020:-

In course of hearing, Ld. Counsel for RP referred the page 59 of the application, the documents shown in this page have not been handed over by the Suspended Board of Director as yet.

So, without going into the facts, what documents the RP has received and what the RP has not received, the RP is directed to furnish a list in respect of the documents/articles which the RP has received from the Suspended Board of Directors and the documents/articles which the RP has not been received as yet by tomorrow. Let the same be filed. List on **12.02.2021**.

sd/-

(K.K. VOHRA)
MEMBER (T)

sd/-

(ABNI RANJAN KUMAR SINHA)
MEMBER (J)