

IN THE NATIONAL COMPANY LAW TRIBUNAL, AHMEDABAD
COURT - 2

ITEM No208
CP(IB)/198(AHM)2021

Order under Section 9 IBC

IN THE MATTER OF:

Ms.Bhumisha Shah Sole Proprietor of Candida Bio Aqua
Solutions
V/s
West Coast Frozen Foods Pvt Ltd

.....Applicant

.....Respondent

Order delivered on ..07/04/2022

Coram:

Dr.Deepti Mukesh, Hon'ble Member(J)
Ajai Das Mehrotra, Hon'ble Member(T)

PRESENT:

For the Applicant : Advocate, Ms. Noopur K Dalal.
For the Respondent : Advocate, Mr. Jay Kansara.

ORDER

During the hearing, the learned counsel for the Applicant made submission with respect to maintainability of the application considering the threshold as per amended Section 4 of IBC, 2016 and submitted that the charging of interest on delayed payment is provided in the invoice. The invoice is from page no. 31 onwards, specially, the terms of interest are mentioned at the bottom of the invoice.

On perusal of the invoices, none of the invoices are signed and are illegible regarding Terms, hence, the learned counsel is directed to file affidavit to remove the defect after taking instructions from the Applicant and also to file legible copies of the invoices.

List on 30.05.2022

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**AJAI DAS MEHROTRA
MEMBER (TECHNICAL)**

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**DR. DEEPTI MUKESH
MEMBER (JUDICIAL)**