

NATIONAL COMPANY LAW TRIBUNAL, MUMBAI BENCH

COURT III

102. C.P.(IB)-1052(MB)/2023

CORAM: MS. LAKSHMI GURUNG, MEMBER (J)
SH. CHARANJEET SINGH GULATI, MEMBER (T)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL
COMPANY LAW TRIBUNAL ON **09.05.2024**

NAME OF THE PARTIES: Mobile Constructions Private Limited

V/s.

BJIRD Exim Private Limited..

Appearance

For Applicant/FC: Adv. Ashish Pyasi a/w Adv. Aditya Krishnan i/b
Aevdvi Legal

For Respondent: Aseem Naphade a/w Ramiz Shaikh I/b Rizwan
Merchant and associates is present through VC.

SECTION 7 OF THE IBC, 2016

ORDER

Hearing Through: Virtually and Physical (Hybrid) Mode

Ld. Counsel for the CD sought time to file sur-rejoinder on the ground that in rejoinder, handwriting expert report is annexed which requires to be rebutted. However, we note that there was no direction from this Court for the handwriting expert report and no cross-examination of handwriting under Section 45 of Indian Evidence Act. The cognizance of the said report (obtained privately without seeking leave of this Court) is not taken. Therefore, there is no need to file sur-rejoinder.

During the course of the hearing, Ld. Counsel for the Petitioner, upon query from the Court, seeks to place on record the proof of delivery of notice vide emails dated 20.07.2020 and 25.05.2023 by attachment/by post or proof of delivery issued by courier service.

Parties be ready with written submission if any, before the next date of hearing.

List on **10.06.2024**.

Sd/-
CHARANJEET SINGH GULATI
Member (Technical)
//NSW//

Sd/-
LAKSHMI GURUNG
Member (Judicial)