

NATIONAL COMPANY LAW TRIBUNAL
COURT-V, MUMBAI BENCH

101. C.P.(IB)/1200(MB)2023

IN THE MATTER OF

REGA INTERNATIONAL EXPORTS LLP

VS

Fabtech Technologies International Limited

Section 9 of the Insolvency & Bankruptcy Code, 2016

Order Delivered on 06.05.2024

CORAM:

MS. REETA KOHLI
MEMBER (J)

MS. MADHU SINHA
MEMBER (T)

Appearance through VC/Physical/Hybrid Mode:

For the Petitioner: Adv. Rishi Ashok (PH)

For the Respondent:

ORDER

The case of the Petitioner is that, in view of the agreement dated 08.02.2020 under which he was to receive 20% of the profit (after the supplies are effected and on the receipt of the complete payment from the customer), he has till date been paid only Rs. 88,71,000/- whereas total profit generated is 10,26,73,510/-. In view of the fact that the amount was received by the Corporate Debtor on 19.03.2020. Hence the date of default is 19.03.2020.

Notice of Motion. Registry as well as Petitioner are directed to issue notice to the Respondent. The Petitioner shall file service affidavit along with copy of notice sent to the Respondent, original postal receipt, track report/ acknowledgements, email etc, at least two days before the next date of hearing. Registry is also

directed to submit service report along with copy of notice sent to the Respondent, postal receipt, track report/acknowledgement.

Upon service, the Respondents are directed to file the reply before the next date of hearing, by serving an advance copy to the Counsel for the Petitioner.

Adjourned to **07.06.2024**.

Sd/-
MADHU SINHA
Member (Technical)
Shubham

Sd/-
REETA KOHLI
Member (Judicial)