

**IN THE NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH, BENGALURU**
(Through Physical Hearing / VC Mode (Hybrid))

**ITEM No.03
C.P.(IB)No.71/BB/2023**

IN THE MATTER OF:

Union Bank of India ... Petitioner
Vs.
M/s. Sindhu Cargo Services Private Limited ... Respondent

Order under Section 7 of IBC, 2016

Order delivered on 08.11.2023

CORAM:

**SHRI K.BISWAL
HON'BLE MEMBER (JUDICIAL)**

**SHRI MANOJ KUMAR DUBEY
HON'BLE MEMBER (TECHNICAL)**

PRESENT:

For the Petitioner : Shri P.L. Vijay K.
For the Respondent : Shri Abhijith Atur with Shri Srivatsa Rao

ORDER

1. Heard the Ld. Counsels for the Petitioner and the Respondent.
2. Ld. Counsel for the Petitioner states that the Ld. Counsel for the Respondent has not yet served a legible copy of reply. Therefore, the Ld. Counsel for the Respondent is directed to serve a legible copy of the objection filed by the Respondent today itself. The learned Counsel for the Petitioner requests time to file rejoinder. He is permitted to file the same, within one week, after duly serving the copy on the other side.
3. Further, Ld. Counsel for the Petitioner pointed out that a memo of compliance has been filed on 12.07.2023 vide diary no.3686, wherein, a copy of OTS proposal dated 21.12.2021 submitted by the Corporate Debtor

has been enclosed as Annexure-B. Therefore, the limitation issue is satisfied.

4. Ld. Counsel for the Respondent states that the date of default which is mentioned as 31.12.2019 in Form-1 of the C.P.is incorrect and the correct date of default is 31.05.2020. Therefore, the learned Counsel for the Respondent is directed to file a brief explanation with basis for the same along with a copy of statement of account, within ten days.
5. List the case on **11.12.2023**.

-Sd-

**(MANOJ KUMAR DUBEY)
MEMBER (TECHNICAL)**

-Sd-

**(K. BISWAL)
MEMBER (JUDICIAL)**

Anishma