

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) (Insolvency) No. 247 of 2018

IN THE MATTER OF:

**Neeraj Gupta, Suspended Director &
Shareholder of Sardhana Papers Pvt. Ltd.**

...Appellant

Versus

Raj Duplex Pvt. Ltd. & Anr.

...Respondent

Present:

**For Appellant : Mr. Nitesh Jain, Mr. Arveena Sharma, Ms. Shruti
 Pandey, Advocates**

For 1st Respondent: Mr. Amit Kumar, Authorised Representative

O R D E R

25.05.2018 The grievance of the appellant is that before filing the application under Section 9 of the Insolvency and Bankruptcy Code, 2016 (for short, the 'I&B Code') the respondent had not served any notice under Section 8(1) of the I & B Code on the 'Corporate Debtor' and later on came to know that notice had issued on a wrong address. The Adjudicating Authority (National Company Law Tribunal), Allahabad Bench had failed to notice the aforesaid fact though it has brought to the notice of the Adjudicating Authority. Further, according to the learned counsel for the appellant if the notice would have been served on the appellant the matter could have been settled between the parties. In fact the admitted dues would have been paid.

Let notice be issued on the respondents by Speed Post. Requisites alongwith process fee, if not filed, be filed by 26th May, 2018. If the appellant

provides *e-mail* address of the respondents, let notice be also issued through *e-mail*.

Dasti service is permitted.

Post the case for 'admission' on 31st May, 2018. The appeal may be disposed of on the next date.

[Justice S.J. Mukhopadhaya]
Chairperson

[Justice Bansi Lal Bhat]
Member (Judicial)

/ns/gc