

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 248 of 2017

IN THE MATTER OF :

Raj Hari Eswaran

...Appellant

Versus

M/s. CMI India Pvt. Ltd. Anr.

...Respondents

Present: For Appellant: Mr. Amit Sibal, Senior Advocate with Mr. Aditya Verma, Mr. Aditya Gupta and Mr. Avinash Amarnath, Advocates.

For Respondent: Ms. Tasneem Ahmad, Advocate.

ORDER

16.11.2017- The parties including the Respondents are allowed a week's time to file affidavit and state whether in terms with proviso to Rule 5 of the Companies (Transfer of Pending Proceedings) Rules, 2016 as notified by Central Government on 7th December, 2016 and Second Amendment as made by notification dated 29th June, 2017, the Respondents provided all information, other than information forming part of the records transferred case as required for admission of petition under Section 9 of the Insolvency and Bankruptcy Code, 2016. The Respondents will specifically state whether they have filed Form-5 and enclosed the copy of invoices/demand notice as in Form-3 of the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016, if served on the 'Corporate Debtor' and reply, if any. If they have enclosed such

invoices/demand notice including the reply of 'Corporate Debtor', the same be enclosed with their affidavit.

Post the matter on 28th November, 2017.

(Justice S.J. Mukhopadhaya)
Chairperson

(Justice Bansi Lal Bhat)
Member(Judicial)

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