

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
MUMBAI BENCH**

2.

**CP(IB)-71(MB)/2018**

CORAM:

SHRI RAJASEKHAR V.K.  
MEMBER (J)

SHRI RAVIKUMAR DURAISAMY  
MEMBER (T)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL  
COMPANY LAW TRIBUNAL ON **29.07.2019**

NAME OF THE PARTIES:

Sachin Chemicals  
v/s.  
Rachna Ether India Pvt. Ltd.

SECTION: 9 OF INSOLVENCY & BANKRUPTCY CODE, 2016.

**ORDER**

1. Ld. Counsel for the Corporate Debtor is present. None present for the Operational Creditor.
2. This Tribunal vide an order dated 29.01.2019 had directed the Petitioner to serve notice on the Corporate Debtor and file affidavit of service, and listed the matter on 15.04.2019. Directions had also been given that in case affidavit of service has not filed within 7 days from that date, the Petition shall be dismissed in default of the Petitioner. On 15.04.2019, owing to paucity of time the case was adjourned to 28.05.2019. On 28.05.2019, there was again no representation on the part of the Operational Creditor. Counsel for the Corporate Debtor was present on that date (28.05.2019) and prayed for time for filing Vakalatnama, Board Resolution and reply. The prayer was allowed with direction that the Vakalatnama, Board Resolution and reply may be filed within seven (7) days with a copy in advance to the opposite party.

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However, Counsel representing the Corporate Debtor had submitted that he had not received the copy of the Petition. Petitioner was directed to serve a copy of the Petition on the Corporate Debtor within 2 days and the matter was posted to 29.07.2019 for admission. Today, once again there is no representation from the side of the Operational Creditor. Counsel for the Corporate Debtor states that no copy of the Petition has been served upon them till date. Since copy of the Petition has not been served on the Corporate Debtor in spite of repeated orders and owing to lack of representation before the Tribunal today again, the Petition is **dismissed** for default.

Sd/-

**RAVIKUMAR DURAISAMY**  
**Member (Technical)**

Sd/-

**RAJASEKHAR V.K.**  
**Member (Judicial)**

29.07.2019  
pvs