

**THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH
(through web-based video conferencing platform)**

Item 40
IA No. 37/2022,57/22, 359/21, 565/21 & 602/21,IA No. 566/22,568/22
In
CP (IB) No. 30/Chd/Hry/2019
(Admitted)
Under Section 9, & 60(5), 43, 44, 49, 66 & 67 IBC 2016

In the matter of:-

Pawan Cargo Forwards (P) Ltd.

....Petitioner-Operational Creditor

Vs.

Bestways Transport (India) Ltd.

....Respondent-Corporate Debtor

Present through Video Conferencing:

Mr. Ankit Sharma, Advocate for applicant in IA No. 359/2021, IA No. 57/2022, 565/2021 for respondent in IA No. 37/2022, for applicant in IA No. 566/2022 and 568/2022.

None for applicant in IA No. 37/2022

None for applicant in IA No.602/2021

IA No. 359/2021

Issue notice to respondent(s) within four weeks. The applicant shall collect the notice from the Registry and send the same immediately to the respondent(s) at its registered address by speed post along with copy of the application and the entire paper book with a copy of this order as well as at the email address of the respondent(s).

2. In case, the service of speed post on the respondent(s) is not effected, then the applicant shall adopt the mode of substituted service and the notice of hearing be advertised in two daily newspapers (one English and one Hindi) having wide circulation in the area and file affidavit of service along with copy of postal receipt, tracking report, copy of email and paper clippings, if applicable within two weeks.

3. Reply, if any, be filed within three weeks after receipt of notice with a copy in advance to the counsel opposite. Rejoinder thereto, if any, be filed one week thereafter, with a copy in advance to the counsel opposite.

4. List on 25.08.2022.

IA No. 37/2022

A date is requested by learned counsel for the respondent for filing the reply. The same be filed within four weeks with copy advance to counsel opposite. Rejoinder thereto, if any, be filed atleast one week before the next date of hearing. List on 25.08.2022.

IA No. 57/2022

Learned counsel for the applicant is directed to segregate the composite application filed under Section 43 and 66 of the Code, in view of judgment of the Hon'ble Supreme Court in **Anuj Jain's** case. The same be done within four weeks. List on 25.0.2022.

IA No.565/2021

Issue notice to respondent(s) within four weeks. The applicant shall collect the notice from the Registry and send the same immediately to the respondent(s) at its registered address by speed post along with copy of the application and the entire paper book with a copy of this order as well as at the email address of the respondent(s).

2. In case, the service of speed post on the respondent(s) is not effected, then the applicant shall adopt the mode of substituted service and the notice of hearing be advertised in two daily newspapers (one English and one Hindi) having wide

circulation in the area and file affidavit of service along with copy of postal receipt, tracking report, copy of email and paper clippings, if applicable within two weeks.

3. Reply, if any, be filed within three weeks after receipt of notice with a copy in advance to the counsel opposite. Rejoinder thereto, if any, be filed one week thereafter, with a copy in advance to the counsel opposite.

4. List on 25.08.2022.

IA No.602/2021

List on 25.08.2022.

IA No.566/2022

The present application has been filed under Section 60(5) of the Code, 2016 read with Rule 11 of the Rules, 2016 to place on record the 3rd Progress Report for the period from 24.03.2022 to 07.04.2022 and 4th Progress report for the period from 08.04.2022 to 22.04.2022. The same is taken on record subject to just exceptions. Thus, IA No. 566/2022 is disposed of accordingly.

IA No.568/2022

The present application has been filed under Section 60(5) of the Code, 2016 read with Rule 11 of the Rules, 2016 to place on record the 5th Progress Report for the period from 23.04.2022 to 07.05.2022. The same is taken on record subject to just exceptions. Thus, IA No. 568/2022 is disposed of accordingly.

Sd/-
(Subrata Kumar Dash)
Member (Technical)

June 3, 2022
HM

Sd/-
(Harnam Singh Thakur)
Member (Judicial)