

**IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH-I,
KOLKATA**

CP(IB) No. 1837/KB/2019

In the matter of:

Petition under section 7(1) of the Insolvency and Bankruptcy Code, 2016, read with rule 4 of the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016

In the matter of:

UCO Bank, a body corporate constituted under the Banking Companies (Acquisition and Transfer of Undertaking) Act, 1970, having its head office at 10, BTM Sarani, Kolkata- 700001 and Flagship Corporate Branch at 2, India Exchange Place, Kolkata 700001, in the State of West Bengal.

.....Financial Creditor

-Versus-

Limtex (India) Limited, a company incorporated under the Companies Act, 1956 and being a Company within the meaning of the Companies Act, 2013, and having Corporate Identification No- U01132WB1992PLC054383 and its registered office at “the legacy”, 25A, Shakespeare Sarani, 2nd Floor, Kolkata- 700017 in the State of West Bengal.

.... Corporate Debtor

Date of Hearing : 16th March, 2022

Date of pronouncing the order: 20th April, 2022

Coram:

Shri Rajasekhar V.K., Member(Judicial)

Shri Balraj Joshi, Member(Technical)

Appearances (via video conferencing):

For the Financial Creditor : Mr. Rishav Banerjee, Advocate

Mr. Rahul Auddy, Advocate
Mr. Aditya Gooptu, Advocate
For the Corporate Debtor : Ms. Debaleena Ganguly, Advocate
Mr. Tapas Kumar Das, Advocate

ORDER

Rajasekhar V.K., Member (Judicial):

1. The instant matter was reserved for order on 16th March, 2022.
2. However, on perusal of record, it was found that the letter of authorization for Sri Prasenjit Roy, as placed on record can not be taken into consideration since the same is not accompanied by a board resolution effecting such authorization. As such, the instant petition is incomplete and we do not deem it fit to take cognizance of the petition at this stage. The Financial Creditor is hereby directed to carry out corrections to the petition within a period of seven days to make it compliant with the Insolvency and Bankruptcy Code, 2016 and the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016 and to include proper letter of authorization and accompanying board resolution. The Financial Creditor is further directed to serve a copy of the same to the Corporate Debtor.
3. List **CP(IB) No. 1837/KB/2019** on **19th May 2022**.
4. The registry is directed to send e-mail copies of the order forthwith to all the parties and their Ld. Counsel for information and for taking necessary steps.
5. A certified copy of this order may be issued, if applied for, upon compliance with all requisite formalities.

**BALRAJ
JOSHI**

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BALRAJ JOSHI
Date: 2022.04.20
18:50:44 +05'30'
Balraj Joshi
Member (Technical)

**Rajasekhar
V K**

Digitally signed by
Rajasekhar V K
Date: 2022.04.20
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Rajasekhar V.K.
Member (Judicial)

Signed on this, the 20th day of April, 2022