



DIVISION BENCH
COURT – I

P-105

**NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA**

C.P. (IB)/119(KB)2022

**CORAM: 1. HON'BLE MEMBER(J), SHRI ROHIT KAPOOR.
3. HON'BLE MEMBER(T), SHRI BALRAJ JOSHI**

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 30TH JANUARY, 2023, 10:30 A.M

IN THE MATTER OF	M/S ESHAN INDUSTRIES VS BRIDGE & ROOF CO (INDIA) LTD
UNDER SECTION	IBC UNDER SEC 9

Appearances (via video conferencing/physical)

Mr. Hansraj Jaria, PCS : For Operational Creditor

O R D E R

1. Ld. Authorized Representative for the Operational Creditor present.
2. This petition has been filed for initiating Insolvency Process against Corporate Debtor Bridge & Roof CO (India) LTD.
3. Despite repeated opportunities Corporate Debtor has not filed its reply affidavit. On 21st of November, 2022 a final opportunity of two weeks' was granted to file reply affidavit, Vakalatnama and Board Resolution. Despite this, reply affidavit was not filed and when the matter was taken up for consideration on 21st of December, 2022, statement was made on behalf of Corporate Debtor that the Corporate Debtor is keen to settle the matter and in view of this, the matter was deferred for hearing today.
4. Today, there is no representation on behalf of Corporate Debtor and it is stated by Ld. Authorized Representative on behalf of Operational Creditor that Corporate Debtor has not even approached for any settlement in terms of order dated 21st of December, 2022.
5. Be that as it may, before passing further orders we deem appropriate to direct the personal presence of Chairman and Managing Director of Corporate Debtor- Bridge



& Roof CO (India) LTD to be present before this Adjudicating Authority on **07/02/2023** to explain its position in view of order dated 21st of December, 2022.

6. It is made clear if CMD fails to appear physically before this Adjudicating Authority, necessary inference will be drawn and appropriate orders will be passed on the next date of hearing.
7. A Copy of this order be served upon the Chairman and Managing Director of Corporate Debtor- Bridge & Roof CO (India) LTD.
8. After this order was passed, counsel appeared virtually. We are not inclined to change the order and the directions as issued be complied on the next date of hearing.

Balraj Joshi
Member (Technical)

Rohit Kapoor
Member (Judicial)