

**NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH**

CP (IB) No. 131/Chd/HP/2018

**Under Section 10 of the
Insolvency and Bankruptcy
Code, 2016.**

In the matter of:

Maxim Infra Venues Pvt. Ltd.

...Petitioner-Corporate Debtor

Present: Mr. Nitin Kant Setia, Advocate for the petitioner.
Mr. Rakesh Gupta and Mr. Puneet Jain, Advocates for SBI -
Financial Creditor.
Mr. Deepankur Sharma, Advocate for M/s. Vinayak Construction
Co. – Financial Creditor.

Having heard the learned counsel for the petitioner, we find that the petitioner has not attached copy of the resolution of Extraordinary General Meeting (EOGM) deciding to initiate the proceedings under Section 10 of the Insolvency and Bankruptcy Code, 2016. The learned counsel submits that the resolution was passed in April, 2018 but the same was not made part of the record, though the notice of the EOGM along with the requisite documents were placed on record.

When the matter was listed on 13.07.2018, it was represented that the affidavit of service has been filed in respect of all the financial creditors. However, the learned counsel for the petitioner submits that affidavit of service of M/s. Vinayak Construction Co. who is a proprietorship concern, was not filed.

List the matter on 13.09.2018. The resolution of the EOGM along with supporting affidavit be filed at least seven days before the date fixed.

Mr. Deepankur Sharma, Advocate has also filed Memo of Appearance for M/s. Vinayak Construction Co. and submits that he will be filing the Power of Attorney today itself. Let the needful be done during the

course of the day. Mr. Deepankur Sharma further submits that M/s. Vinayak Construction Co. is a sole proprietorship concern which does not want to file any objection to the admission of the present petition.

Sd/-
(Justice R.P. Nagrath)
Member (Judicial)

Sd/-
(Pradeep R. Sethi)
Member(Technical)

August 29, 2018
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