

**NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH (COURT-I)
CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH,
NATIONAL COMPANY LAW TRIBUNAL, HELD ON **10.08.2021 at 10.30 A.M**
THROUGH VIDEO CONFERENCING

**PRESENT: SMT. R.SUCHARITHA, MEMBER (JUDICIAL)
SHRI. ANIL KUMAR B, MEMBER (TECHNICAL)**

IA/MA/IBA/TCP/TCA/CP/CA No : CP/5/CHE/2021
NAME OF PETITIONER : Clarke Energy India Pvt Ltd
NAME OF RESPONDENT : Saheli ExportS Pvt Ltd
SECTION : Sec 9 Of IBC 2016

ORDER

The Applicant is represented by Mr. Neeraj Malhotra, Senior Advocate and the Respondent is represented by Mr. H. Rajaram, Advocate through video conferencing platform.

CP/5/CHE/2021 was filed on 19.02.2021. An opportunity to file counter was given to the Respondent. In spite of that, no reply has been filed by the Respondent. Hence, the right of filing reply by the Respondent is closed.

Learned Counsel for the Respondent states that they are liable to move the matter under Section '8' of the Arbitration Act for settling the dispute between the parties.

Learned Counsel for the Applicant states that this Application was filed prior to under Section '8' of the Arbitration Act which is sought by the Respondent and hence their Application must be taken up for Adjudication.

List this matter on **09.09.2021** as a last chance for hearing and disposal.

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(ANIL KUMAR B)
MEMBER (TECHNICAL)

-sd-

(R. SUCHARITHA)
MEMBER (JUDICIAL)