

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI

COURT – IV

**ITEM No. 104
IA-2831/ND/2021
(IB)/822/ND/2020**

IN THE MATTER OF:

Envitech Consultants India Pvt. Ltd.	...	Applicant
Vs.		
Rudrabhishek Enterprises Ltd.	...	Respondent

Order under Section 9 of IBC

Order delivered on 17.08.2021

Coram:

**DR. DEEPTI MUKESH,
HON'BLE MEMBER (JUDICIAL)**

**MS. SUMITA PURKAYASTHA,
HON'BLE MEMBER (TECHNICAL)**

PRESENT:

For the Applicant : Mr. Angad Mehta, Advocate
For the Respondent :

ORDER

IA-2831/ND/2021:

This is an application filed by the Operational Creditor seeking to revive IB-822/ND/2020. Learned Counsel states that IB was disposed of vide order dated 14.10.2020 by this Bench by passing the final order on the ground that application is not maintainable since the Applicant is a struck off company. Thereafter, the Operational Creditor filed an appeal under Section 252 seeking revival of the name of the company which was allowed vide order dated 24.12.2020 and the company was restored to its original name as if it was never struck off. Hence, this application to revive the IB application filed by the Operational Creditor. Mr. Sakal Bhushan, Learned Senior Counsel states that this application is not maintainable and notice may not be issued on the ground of maintainability. Let the affidavit in reply along with the supporting judgments be filed.

List for argument on **27.09.2021**.

**Sd/-
SUMITA PURKAYASTHA
MEMBER (TECHNICAL)**

**Sd/-
DR. DEEPTI MUKESH
MEMBER (JUDICIAL)**