

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

C.P. No. (IB)-263/(MB)/2017

CORAM : Present : SHRI M.K. SHRAWAT
MEMBER (J)

ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON **10.04.2018**.

NAME OF THE PARTIES : Empire Mall Pvt. Ltd.
V/s.
Putin Impex Pvt. Ltd.

SECTION OF THE COMPANIES ACT: I&B Code, 2016.

ORDER

1. This is a transferred Petition from the Hon'ble High Court. Therefore, on transfer, Form No.5 submitted on 10.07.2017 in respect of an Operational Debt of Rs.30,62,893/-.

2. On perusal of the said Form it is noticed that there are certain defects such as non-proposal of Name of IRP. It is also not clear whether Section 8 Notice was served upon the Respondent Debtor or not. The requirements ^{were} ~~are~~ to be complied with, have ^{ms} duly been communicated to the Petitioner. However, the Petitioner remained absent on last few occasions. On 14.03.2018 it was noted that last chance granted to the Petitioner; otherwise the petition ^{would} ~~shall~~ be dismissed ex-parte. ^{ms}

3. One more evidence is on record that in respect of the Debtor M/s. Putin Impex Pvt. Ltd., an Order has been passed by the Hon'ble High Court in CP 441 of 2016 dated 13.09.2017 wherein an Official Liquidator has been appointed.

4. As a consequence, this Petition is hereby **dismissed** on both the counts that an Official Liquidator has already been appointed and Secondly, the Petitioner is not serious to contest this Petition.

5. To be consigned to Records. Heard. Disposed of.

Sd/-

M.K. SHRAWAT
Member (Judicial)

Date : 10.04.2018

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