

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
PRINCIPAL BENCH

C.P. No. 577/2015

IN THE MATTER OF:

Green Power Engineers (P) Ltd.

.....Petitioner

v.

Faith Mercantile Pvt. Ltd.

.....Respondent

SECTION : UNDER SECTION 433(e) & 434 of the Companies Act, 1956

Order delivered on 20.07.2017

Coram:

CHIEF JUSTICE M.M. KUMAR

Hon'ble President

Deepa Krishan

Hon'ble Member (T)

For the Petitioner(s) :

ORDER

It is pertinent to mention that on 15.05.2017 one last opportunity was granted to the counsel for the petitioner to file compliance affidavit in accordance with the Rules known as Companies (Transfer of Pending Proceedings) Rules, 2016 and the provisions of Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016. However, no step has been taken and even the counsel for the petitioner is not present. In any case by virtue of notification dated 29.06.2017 such like petition would have survived upto 15.07.2017. If compliance affidavit is not filed by the aforesaid date then such like



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petition was to abate. However, as per notification liberty has been given to the petitioner to file fresh petition on the same cause of action.

In view of the above, this petition abates and liberty in terms of the notification dated 29.06.2017 is granted to file fresh petition.

Sd/-
(CHIEF JUSTICE M.M. KUMAR)
PRESIDENT

Sd/-
(DEEPA KRISHAN)
(MEMBER TECHNICAL)

20.07.2017
Vineet