

**IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
SPECIAL BENCH**

CP/CA. No. 197/2016

IN THE MATTER OF:

M/s Actuate Business Consulting Pvt. Ltd.	APPLICANT / PETITIONER
Vs		
M/s Ambika Trading and Constructions Company Pvt. Ltd.	RESPONDENT

SECTION:

Under Section 439(1)(b), 433(e) & 434

Order delivered on 13.09.2017

Coram:

**R. VARADHARAJAN
HON'BLE MEMBER (JUDICIAL)**

**DEEPA KRISHAN
HON'BLE MEMBER (TECHNICAL)**

For the APPLICANT / PETITIONER

:- Mr. Abhigya, Advocate
Mr. Kumar Sumit, Advocate

For the RESPONDENT

:- Ms. Swaralipi Deb Roy, Advocate

ORDER

Learned Counsel for the petitioner is present. Perusal of the records shows that the petitioner has not complied with the provision of section 9 of Insolvency Bankruptcy Code, 2016 as required to be done vide notification dated 07.12.2016, 13.02.2017 & 29.06.2017 despite time being granted. In the circumstances due to non-compliance this Tribunal is constrained to reject the petition in terms of sub-section 5 of section 9. In the circumstances, the petition is rejected.

Sd/-

**(DEEPA KRISHAN)
MEMBER (TECHNICAL)**

Sd/-

**(R. VARADHARAJAN)
MEMBER (JUDICIAL)**