

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

CP/CA. No. 384/2015

IN THE MATTER OF:

M/s Krishn Electricals	APPLICANT / PETITIONER
Vs		
M/s Harvest Hotels & Serviced Apartments	RESPONDENT
Pvt. Ltd.		

SECTION:

Under Section 433(e), 434 & 439

Order delivered on 06.09.2017

Coram:

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

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


For the APPLICANT / PETITIONER :- Mr. Ayush Negi, Advocate

For the RESPONDENT :- Mr. K. K. Vashisht, Advocate

ORDER

Learned Counsel for the petitioner is present. On a perusal of the petition as well as annexure and the compliance report as filed by the petitioner, it is seen that section 8 notice as mandated under the provision of IBC, 2016 has not been filed. Further it is also seen that compliance report is not in consonance with the format prescribed under Insolvency & Bankruptcy Code (Application to Adjudicating Authority) Rules, 2016. In view of the above noncompliance and taking into consideration the notification issued by the Central Government dated 07.12.2016, 13.02.2017 & 29.06.2017 in this regard the petition stands abated. However, in line with the notification dated 29.06.2017 the petitioner will have the liberty as prescribed therein.


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


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