

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
PRINCIPAL BENCH

C.P. No. 644/2015

IN THE MATTER OF:

Akhilesh Chandra & Anr.

.....Petitioner

v.

**Shri Sidhballi Infrastructure & Construction
Company Pvt. Ltd.**

..... Respondent

SECTION : UNDER SECTION 433 (e), 434

Order delivered on 01.02.2018

Coram:

CHIEF JUSTICE (RTD.) M.M.KUMAR
Hon'ble President

S.K. MOHAPATRA
Hon'ble Member (T)

For the Petitioner(s): Mr. L.B. Rai and Mr. Mohit Kr. Sharma, Advocates

ORDER

This petition was filed before Hon'ble Delhi High Court and was transferred to this Tribunal.

The provisions of the Rules known as Companies (Transfer of Pending Proceedings) Rules, 2016 and the Rules known as Insolvency & Bankruptcy (Application to Adjudicating Authority) Rules, 2016 have not been complied with despite the order passed on 30.03.2017. The time for filing the petition under the aforesaid Rules was extended upto June, 2017 and no amended petition in compliance with the Rules has been filed. It cannot now be permitted under Section 7 or 9 of the Insolvency and Bankruptcy Code, 2016.

Consequently, we dismiss the petition with liberty to the petitioner to file a fresh one on the same cause of action if so advised.

Sd/-
(M.M. KUMAR)
PRESIDENT

Sd/-
(S.K. MOHAPATRA)
(MEMBER TECHNICAL)