

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

T.C.P No.779/(MAH)/2017
CA No.


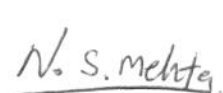
CORAM:

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

ATTENDENCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF
THE NATIONAL COMPANY LAW TRIBUNAL ON 02.05.2017

NAME OF THE PARTIES: Nimisha Shashikant Mehta
V/s.
Maharaja Dyeing Pvt. Ltd.

SECTION OF THE COMPANIES ACT: I & BP Code 2016.

S. No.	NAME	DESIGNATION	SIGNATURE
2	Ramesh Kurke Adv.		
	Nimisha S. Mehta		

ORDER

TCP No.779/I&BP/NCLT/MUM/MAH/2017

1. Learned Representatives respectively representing the creditor and the debtor are present. Form No.5 submitted on 21st April 2017 stated to have been served. The debt amount is ₹1,36,68,000/-. The Petition under consideration was transferred from the Hon'ble High Court of Bombay.
2. Learned Representative of the Petitioner has stated that a chemical used in textile industry has been supplied as is evident from the invoices and the copies of accounts annexed with the main Petition, claimed to have been duly acknowledged by the debtor. Attention has been drawn on the word "Tallied", noted by the Accountant of M/s. Maharaja Dying Pvt. Ltd. (The debtor). According to the pleadings, the debt amount had been accepted by the debtor in the past. No reply or representation has been made by the debtor after the service of Form No.5, hence it is pleaded that the Insolvency Proceedings be allowed to be commenced against the debtor.

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3. Learned Representative has stated that vide a letter of 19th November 2015, as annexed with the main Petition, it was informed to the creditor that the supplied material was defective. However, seeking time for proper representation.
4. On due consideration of the facts and circumstances of the case, a last chance is given to the Respondent debtor to defend his case, otherwise liable to face the Insolvency Proceedings.
5. The Petitioner has not proposed the name of the Interim Resolution Professional; hence it is directed to propose the name on the next date of hearing.
6. The matter is adjourned to 14th of July 2017.

Sd/-

M.K. SHRAWAT
Member (Judicial)

Date : 02.05.2017