

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
PRINCIPAL BENCH

C.P. NO. (IB)-142(PB)/2017

IN THE MATTER OF:

Hythro Power Corporation Limited and
Hythro Power Corporation Limited

.....Petitioner

SECTION : UNDER SECTION 10 OF INSOLVENCY AND BANKRUPTCY CODE, 2016

Order delivered on 27.06.2017

Coram:

CHIEF JUSTICE M.M.KUMAR
Hon'ble President

DEEPA KRISHAN
Hon'ble Member (T)

For the Petitioner(s) : Shri Nithyaesh Natraj, Advocate

For the Intervener(s) : Shri Aditya Tiwari, Advocate
Ms. Richa Bhagat, Advocate

ORDER

Learned counsel for the intervener/objector namely Avigo Venture Investment Limited has raised a preliminary objection that according to the Article 166 (b) of the Articles of Association of the Companies Act no decision with regard to restructuring, winding up etc. can be taken up without the express

consent of Avigo Venture Investment Limited which has 40% shareholding in the petitioner company. In order to seek instructions, learned counsel for the petitioner requests for a day's time.

List on 28.06.2017.

Sd—

**(CHIEF JUSTICE M.M. KUMAR)
PRESIDENT**

Sd—

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

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