

IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
PRINCIPAL BENCH

CP/CA No. 1067/2016

IN THE MATTER OF:

M/s Aureole Inspects Pvt. Ltd. APPLICANT / PETITIONER
Vs
M/s The Amercian Swan Lifestyle Co. Pvt. RESPONDENT
Ltd. & Ors.

SECTION:

Under Section 433(e), 434 and 439

Order delivered on 11.08.2017

Coram:

R. VARADHARAJAN
HON'BLE MEMBER (JUDICIAL)

DEEPA KRISHAN
HON'BLE MEMBER (TECHNICAL)

For the APPLICANT / PETITIONER :- Mr. Pankaj Kapoor, Advocate

For the RESPONDENT :-

ORDER

Learned Counsel for the petitioner is present and represents that an application in CA No. 239(PB)/2017 seeking for the restoration of company petition has been filed which was dismissed by order dated 31.05.2017, for the reasons stated in Para 2 of the said application. Taking into consideration the averment made in the application as well as affidavit filed along with the same, this petition stands restored to its original state.

On a perusal of the company petition it is seen that the petitioner has not complied with the provision of Insolvency & Bankruptcy Code 2016 and notification of transfer issued by the ministry of corporate Affairs dated 07.12.2016, 28.02.2017 and 29.06.2017. In the circumstances and taking into consideration the notification including the one dated 29.06.2017, the petition stands abated. However, liberty is granted to the petitioner in terms of notification dated 29.06.2017.

Sd-

(DEEPA KRISHAN)
MEMBER (TECHNICAL)

Sd-

(R. VARADHARAJAN)
MEMBER (JUDICIAL)