

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
PRINCIPAL BENCH

(IB)-549(PB)/2017

IN THE MATTER OF:

Manish Traders

.... Applicant/Petitioner

Vs.

YPA Hospitality Pvt. Ltd.

.... Respondent

Order under Section 9 of Insolvency & Bankruptcy Code, 2016

Order delivered on 29.11.2017

Coram:

CHIEF JUSTICE (Retd.) M.M.KUMAR

Hon'ble President

Ms. Deepa Krishan

Hon'ble Member (T)

For the Petitioner/Applicant : Mr. Rahul Raj Malik, Advocate

For the Respondent :

ORDER

It is not disputed that the Corporate Debtor-Respondent company has been struck off as is evident from the master data (Annexure-1). The proper course for the applicant-Operational Creditor would be to first have the respondent-company revived and then file appropriate application for initiating Corporate Insolvency Resolution Process. At this stage it is not possible to adjudicate on the issue raised in the present application.

Consequently, the petition is dismissed with aforesaid observations.

Sd/-
|||||
(CHIEF JUSTICE M.M.KUMAR)
PRESIDENT

Sd/-
(DEEPA KRISHAN)
MEMBER(TECHNICAL)