

**IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI
SPECIAL BENCH**

CP/CA. No. 1/2017

IN THE MATTER OF:

M/s Tractors India Pvt. Ltd.	APPLICANT / PETITIONER
Vs		
M/s Varaha Infra Ltd. & Anr.	RESPONDENT

SECTION:

Under Section 433(e)(f), 434

Order delivered on 08.09.2017

Coram:

**INA MALHOTRA
HON'BLE MEMBER (JUDICIAL)**

**DEEPA KRISHAN
HON'BLE MEMBER (TECHNICAL)**

For the APPLICANT / PETITIONER

:- Mr. Raja Chatterjee, Advocate

For the RESPONDENT

:- Mr. Abhishek Birthray, Advocate
Mr. Sumit Sharma, Advocate
Mr. Abhishek Verma, Advocate

ORDER

There are certain technical objections, more specifically, the notice under section 8 not being issued by a duly authorised person. The certificate of the proposed IRP is also not in the required format and the institution of the petition itself through the attorney was not under any resolution.

In view of the same, Learned Counsel for the Petitioner submits that he wishes to withdraw the present petition with a liberty to file a fresh one.

The petition is therefore, being dismissed as withdrawn. Liberty is granted to file a fresh petition on the same cause of action subject to just exceptions.

— Sd —
**(DEEPA KRISHAN)
MEMBER (TECHNICAL)**

— Sd —
**(INA MALHOTRA)
MEMBER (JUDICIAL)**