

IN THE NATIONAL COMPANY LAW TRIBUNAL  
SPECIAL BENCH (COURT –I)  
NEW DELHI.

(IB)-461(PB)/2017

**In the matter of:**

BDR Builders & Developers Pvt. Ltd. .... Petitioner

v.

Shilpi Cable Pvt. Ltd. .... Respondent

**SECTION:** Under Section 7 of the Insolvency & Bankruptcy Code.

**Order delivered on 30.11.2017**

**Coram**

R.VARADHARAJAN  
HON'BLE MEMBER(JUDICIAL)

DEEPA KRISHAN  
HON'NBLE MEMBER (TECHNICAL)

For the petitioner

Mr.Ashish Agarwal, Adv.

Mr. Gurcharan Singh, Adv.

For the Respondent

**ORDER**

Learned counsel for the petitioner is present. Pursuant to the direction dated 7.11.2017 it is represented by the ld. Counsel for the petitioner that notice to the corporate debtor has been taken. The status of the service of notice, according to the learned counsel appearing for the petitioner is stated to be as follows:

"This is to inform you that we have received a petition under Insolvency and Bankruptcy Code, 2016 against Shilpi Cables Pvt. Ltd. (hereinafter "the company"). Since the company is in your control and Mr. Rohit Kumar, Director of the company is your nominee director; we are sending the said petition to you at your above mentioned registered office."

The endorsement and the letter has been filed vide diary No. 2900. The Id. Counsel for the petitioner also points out that the financial position of the company as shown in the master data which is annexed as Annexure A at page 5 of the additional affidavit. Further there are no material particulars as pointed out by the Id. Counsel and that the directors name given as Mr. Gaurav Singhal as well as Mr. Rohit Kumar has resigned as per the master data as on 13.7.2017 and 17.8.2017 respectively. Master data also discloses that the company has mortgaged immovable property for loan to the extent of Rs.300000000/- and the moveable property has also been pledged in relation to shares in M/s. Shilpi Cable Technologies Ltd. for a sum of Rs. 310000000/-. Ld. Counsel for the petitioner also points out to Annexure D which indicates form No.DIR 11 as filed with ROC and reflected in Master data. A copy of the master data is also filed. In the above circumstances and in the absence of directors this Tribunal is constrained to direct the ROC to verify and place the status report of the corporate debtor within a period of 10 days from today. The order above shall be furnished to the office of the ROC by the petitioner within a period of 7 days. Post the matter on 13.12.2017.

  
(DEEPA KRISHAN)  
MEMBER(TECHNICAL)

  
R.VARADHARAJAN)  
MEMBER(JUDICIAL)

\*KCS\*