

IN THE NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH

C.P.(IB)NO.155/BB/2017

Under Rule 6 of the Insolvency and Bankruptcy
(Application to Adjudicating Authority) Rules, 2016

IN THE MATTER OF
M/s SWASTIK ENTERPRISES

Vs

HAJEE A.P.BAVA & COMPANY CONSTRUCTIONS PVT. LTD.

Coram: 1. Hon'ble Shri.RatakondaMurali, Member Judicial
2. Hon'ble Shri.Ashok Kumar Mishra, Member Technical

Order delivered on 3rd January, 2018

For the Petitioner (s): Absent

For the Respondent (s):

Swastik Enterprises
28-17-11, Sri Shirdi Sai Enclave.
Shop No.4, Surya Bagh
Visakhapatnam – 530 020
Angul – 758 112(Odisha)

.. Petitioner

Vs

Hajee A.P.Bava & Company Constructions Pvt. Ltd.

.. Respondent

ORDER

The Petitioner has filed this petition under Section 9 of the Insolvency and Bankruptcy Code, 2016. The office has raised the following objection:

“Note: The application filed by M/s Swastik Enterprises of Visakhapatnam, reported to be a sole proprietrix concern of Smt. Manju Choudhary, represented by her Spl. Power of Attorney Holder, G.K.Jain,

Chartered Accountant having membership No.CA-016003. Requisite fee has been paid.

The application in Form-I has been examined.

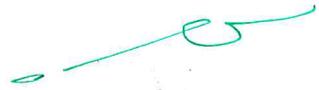
- Some documentary evidence to show the applicant concern is a sole proprietrix concern held by her and her PAN car/ADHAAR card ID proof compliance required.
- Sec. 9(3)(c) of I & B Code compliance with respect to HDFC Bank certificate not furnished.
- In Form-5 some columns are answered as not applicable is not correct (Part 1 column 2 Part III; Part V columns 2, 3 & 4) require relevant details or should be answered as 'NIL'.

This matter be listed on 22.12.2017 at 3.00 p.m. for orders on office notings.”

The matter was listed on 22.12.2017 and again on 03.01.2018 for hearing the petitioner on non-compliance of the office objections. The petitioner was not present on the said date and also on earlier occasions. Hence this petition is rejected for non-compliance of office objections.



(ASHOK KUMAR MISHRA)
MEMBER, TECHNICAL



(RATAKONDA MURALI)
MEMBER, JUDICIAL