

**BEFORE THE NATIONAL COMPANY TRIBUNAL, MUMBAI BENCH,
MUMBAI**

T.C.P. NO.281/I&BP/NCLT/MB/MAH/2017

CORAM:

SHRI M. K. SHRAWAT
MEMBER (JUDICIAL)

APPLICATION BY OPERATIONAL CREDITOR TO INITIATE CORPORATE
INSOLVENCY RESOLUTION PROCESS UNDER THE INSOLVENCY AND
BANKRUPTCY CODE, 2016.

M/s. ABDULLABHAI ABDUL KADER,
Partnership Firm registered under the Indian
Partnership Act, 1932 having its office at
Valiulla Commercial Complex, 206,
Nagdevi Street, Mumbai – 400 003.

PETITIONER.
OPERATIONAL CREDITOR.

Versus

M/s. MOHAN AROMATICS PVT. LTD.
Registered Office at 349/53, 4th Floor,
Indu Chambers, Samuel Street,
Vadgadi, Mumbai-400 003. ...

RESPONDENT.
CORPORATE DEBTOR

PRESENT ON BEHALF OF THE PARTIES:

FOR THE PETITIONER

Mr. Ajay Panicker Advocate for the Petitioner present.

FOR THE RESPONDENT.

Mr. Ashok Bhatia Advocate for the Respondent present.

ORDER

Heard on : 27.06.2017
Pronounced on: 27.06.2017

1. The Learned Representatives of both the sides are present.
2. In the Praecipe of 27th June 2017 it is stated that :

MKS

" The above Company Petition was originally filed in the Hon'ble Bombay High Court. Soon after filing the same, the matter was transferred to this Hon'ble Tribunal. The Petitioner inadvertently could not attach the correct statutory notice to the above Company Petition. Instead of amending the above Company Petition and Form No. 5 in the matter, the Petitioner wishes to withdraw the above Company Petition and initiate the fresh proceedings by issuing fresh notice and by filing fresh Petition before this Hon'ble Tribunal.

It is therefore, prayed that the above Company Petition may be allowed to be withdrawn with liberty to initiate fresh insolvency proceedings against the above Corporate Debtor."

3. The copy is served to the Learned Counsel of the Respondent alleged debtor.
4. On hearing the Learned Counsel for the Petitioner, prima facie, it appears that the Petitioner can be allowed to withdraw the Petition with the liberty to initiate the proceedings, if deem fit, under the I&BP Code, 2016.
5. The Petition is hereby dismissed as withdrawn. To be consigned to Records.

Dated: 27.06.2017

Sd/-
M.K. Shrawat
Member (Judicial)