

National Company Law Tribunal

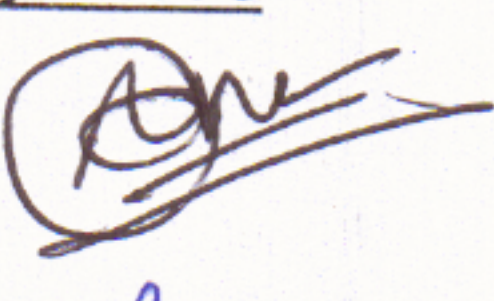
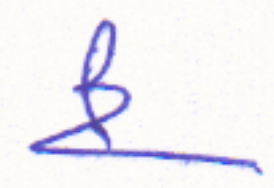
Allahabad Bench

CP NO. 2/ALD/2017

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 03.04.2017

NAME OF THE COMPANY: Kanpur Plastipack Pvt. Ltd.

SECTION OF THE COMPANIES ACT: 9 of I & B code

Sl. NO.	Name	Designation	Representation	Signature
1.	Ankur Srivastava	Company Secretary	Applicant	
2.	S.K. Gupta	Order dated 03.04.2017		

CP No. 2/ALD/2017 Kanpur Plastipack Pvt Ltd

Mr. Ankur Srivastava, PCS for the operational creditor is present in the matter. The case is fixed for appropriate response/comments of the Central Govt. on maintainability and admissibility of the present petition in light of Section 60 sub-Section (1) The Insolvency and Bankruptcy Code. In this regard notices were issued by Registry of this Tribunal to the office of Secretary, Ministry of Corporate Affairs, Regional Director (NR) and the corporate debtor. However, today there is no response from them. The counsel for the operational creditor also report that a notice on its behalf was also sent to the Central Govt. as well as to the corporate debtor. As today none appears from them therefore the case is proceeded for hearing arguments in respect of admissibility and maintainability of the present petition. Learned PCS for operational creditor substantiate its contention stating that Section 60 sub-Section (1) does not differentiate between operational creditor and corporate debtor and hence the present application can equally be filed before the adjudicating authority/NCLT having jurisdiction of the area where the registered office of operation creditor is situated. The argument are heard. Parties is at liberty to file written submission, if any within a week. A copy of this order be communicated to the Central Govt. through office of the OL/RD by the Registry.

List the matter on 13.04.2017.

SH. H.P. CHATURVEDI (Judicial Member)

Bhorat ji
For Compliance
3/4/17