

National Company Law Tribunal

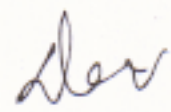
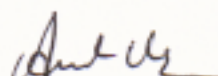
Allahabad Bench

CP NO. (IB) 109/ALD/2017

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH OF THE  
NATIONAL COMPANY LAW TRIBUNAL ON 27.10.2017

NAME OF THE COMPANY: Bank of Baroda V/s. Khatima Fibers Ltd

SECTION OF THE COMPANIES ACT: 7 of I & B Code of 2016

<u>Sl. NO.</u>	<u>Name</u>	<u>Designation</u>	<u>Representation</u>	<u>Signature</u>
1.	Devendra Vikram Singh	Advocate	B.O.B. Petitioner	
2.	Amit Verma	Advocate	Defendant	

CP No.(IB) 109/ALD/2017

Advocate Sh. Devendra Vikram Singh for the Financial Creditor. Advocate Sh. Amit Verma for the Corporate Debtor Company. The Corporate Debtor Company now files an application on maintainability of the present petition and wish to keep reserve its right to file a formal objection, if any, to present I.B. petition. However, this Court is of the view that objection to main petition alongwith objection on maintainability of petition can be heard and decided together as the time is essence of the code as laid down by the Hon'ble Supreme Court. And the Hon'ble NCLAT has also settled practise that a formal notice be issued to the Corporate Debtor Company for hearing.

Therefore, we are of the view, that keeping in view of the time constrain the Corporate Debtor Company must file its formal objection to the present I.B. petition alongwith its objection on maintainability of the present application if willing so. Otherwise, the matter would be heard on merits.

Meanwhile, the Financial Creditor is at liberty to file a rejoinder to such formal objection as well as objection on maintainability of present petition, if filed within 10 days after receiving a copy of the such objection.

The matter be listed on 13<sup>th</sup> November, 2017.

Date: 27/10/2017

Typed by  
Md. Zaid

  
H.P. Chaturvedi, Member(Judicial)