

**NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH**

**CP NO. 177/2015
RT CP NO. 101/Chd/CHD/2017**

M/s. Allied Glasses.	Petitioner.
	Versus.	
M/s. Raj Glazier Pvt. Ltd.	Respondent.
Present:	None.	

This petition was filed in the Hon'ble Punjab and Haryana High Court for winding up of the respondent company on the grounds of its inability to pay the debt due to the petitioner and the same was received in the Tribunal in terms of Rule 5 of the Companies (Transfer of Pending Proceedings) Rules, 2016 as the respondent was not served while the matter was pending in the Hon'ble Punjab and Haryana High Court.

Notice was sent to the learned counsel for the petitioner by Speed Post but there is no representation from the petitioner. The case was listed for today to see whether the requisite information as per the requirement of aforesaid Rule was filed by the petitioner by 15.07.2017 or not. The office has reported that notice to the counsel for the petitioner was delivered on 8.7.2017 and no such information has been filed by the petitioner.

The proceedings in the instant petition shall stand automatically abated in view of the notification dated 29.06.2017 amending Rule 5 of the Companies (Transfer of Pending Proceedings) Rules, 2016 according to which the requisite information/documents in terms of Rule 7, 8 or 9 of the Insolvency and Bankruptcy Code, 2016 was required to be filed by 15.07.2017



failing which the petition has to abate. The petition thus stands abated. As per the proviso to amended Rule 5 aforesaid, the petitioner would be at liberty to file application under Section 7, 8 or 9 of the Code as the case may be, if so advised, in accordance with the provisions of the Code.



(Justice R.P. Nagrath)
Member (Judicial)

July 19, 2017
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