

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

**CP NO.150/2015  
RT NO.91/Chd/Hry/2017**

BEBB India Pvt. Ltd.

...Petitioner

Versus.

M/s ABW Infrastructure Ltd. & Ors.

...Respondents

Present: None for petitioner.

Ms. Niharika Sharma, Advocate for

Mr. Aashish Chopra, Advocate for respondent No.1.

Ms. Niharika Sharma, Advocate has filed Power of Attorney for respondents with the Resolution of Board of Directors Meeting of the respondent-company held on 07.02.2017. Learned counsel for respondents submits that the petitioner was served with the order dated 28.11.2016 passed by the Hon'ble Punjab and Haryana High Court and sent by the Registry of Hon'ble Punjab and Haryana High Court, Chandigarh on 16.12.2016, copy of which has been handed over in court by Ms. Niharika Sharma, Advocate. The same be taken on record. This petition was filed under Section 433 (e) of the Companies Act, 1956 for winding up of the respondent-company for its inability to pay the debt due to the petitioner. The petition was received by the Tribunal in terms of Rule 5 of the Companies (Transfer of Pending Proceedings) Rules, 2016.

The petition is thus adjourned sine die as the petitioner has to comply with the provisions of Rule 5 of the Companies (Transfer of Pending Proceedings) Rules, 2016 read with the Companies (Transfer of Pending Proceedings) Amendment Rules, 2017 notified vide Notification dated 28.02.2017 requiring the petitioner to file appropriate application/requisite

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information, including details of the proposed Insolvency Professional in the Tribunal within a period of six months commencing from 15.12.2016, the date from which the aforesaid Rules came into force. In the meanwhile if the requisite application/information including details of the proposed Insolvency Professional is filed, the matter be listed immediately thereafter. However, in case the requisite application/information is not filed within the prescribed period of six months, the instant petition shall stand automatically abated.

Copy of this order be sent to the counsel for petitioner.

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

March 20, 2017  
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