

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

CP (IB)NO. 11/Chd/Pb/2018

**Under Section 9 of the Insolvency
and Bankruptcy Code, 2016**

In the matter of :

Shri Seo Pal, Proprietor at Banarsi Dass
& Sons having its registered office at 2376,
Mandi Extension, Narela, Delhi-110040.Applicant-Operational Creditor.

Vs.

Quality Rice Exports Pvt. Ltd., having its
registered office at Nial Bye Pass Road,
Patran, Punjab-147105Respondent-Corporate Debtor

Order delivered on: 02.02.2018

Coram: Hon'ble Mr. Justice R.P. Nagrath, Member (Judicial)

For the petitioner : 1. Mr. Jai Kush Hoon, Advocate.
2. Ms. Tulika Bhatnagar, Advocate.
3. Mr. G.S. Sarin, Practising Company Secretary.
4. Mr. P.D. Sharma, Practising Company Secretary.
5. Mr. Sheo Pal, Operational Creditor in person.

For the respondent : Mr. Lalit Singla, Advocate.

ORDER (Oral)

Mr. Lalit Singla, Advocate filed Memo of Appearance along with copy of resolution dated 27.01.2018 of Board of Directors of respondent-company authorising him to appear before the National Company Law Tribunal.

After arguing the case for some time, the learned counsel for the applicant-operational creditor seeks and permitted to withdraw the instant petition because of the technical defect in the notice sent under Section 8 of the Insolvency and Bankruptcy Code, 2016, inasmuch, as the same has not

been delivered in terms of the requirement of sub-rule (2) of Rule 5 of the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016, with liberty to file fresh petition on the same cause of action.

Sd/-
(Justice R.P. Nagrath)
Member (Judicial)

February 02, 2018
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