

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

**CP NO. 51/2016
RT NO. 109/Chd/Pb/2017**

M/s. Canbank Factors Limited.Petitioner.
Versus.
M/s. Supreme Tex Mart Limited and Anr.Respondents.

Present: Mr. Anshul Jain, Advocate for petitioner.
None for respondents.

The instant petition was filed in the Hon'ble Punjab and Haryana High Court 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.

Learned counsel for the petitioner submits that the respondent was not served with the notice while the matter was pending in the Hon'ble High Court.

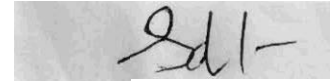
The instant petition has been received by transfer in this Tribunal in terms of Rule 5 of the Companies (Transfer of Pending Proceedings) Rules, 2016.

Having heard the learned counsel for the petitioner, I find that 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 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 case



the compliance is not made within the specified period of six months commencing w.e.f. 15.12.2016, the petition would stand automatically abated.

The petition be listed for hearing on 06.07.2017.



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

✓ May 04, 2017.
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