

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

CP NO. 77/2015

M/s. Kotak Mahindra Prime Limited.

...Petitioner.

Versus

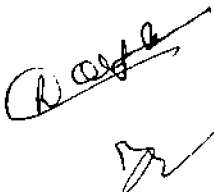
M/s. Flywell Overseas Private Limited.

...Respondent


Present: Mr. Yashpal Gupta, Advocate for petitioner.
None for the respondent.

This case has been received by transfer from the Hon'ble Punjab and Haryana High Court, Chandigarh. It be entered in the relevant register.

This petition is filed for winding up of the company under Section 433 (e) of the Companies Act, 2013 on the ground of inability of respondent-company to pay its debts. This petition has been transferred to the Tribunal in terms of Rule 5 of Companies (Transfer of Pending Proceedings) Rules, 2016 which says that after transfer of the case, the matter has to be dealt with in accordance with Part II of the Insolvency and Bankruptcy Code, 2016 and these matters are now to be treated as applications under Sections 7, 8 or 9 of the Code. The proviso to this Rule provides 60 days period from the date of notification dated 15.12.2016 to comply with the provisions of Section 7, 8 or 9 of the Code, failing which the petition has to abate.



As observed in the order dated 03.10.2016 of the Hon'ble Punjab and Haryana High Court, the respondent could not be served as the company was lying closed. Learned counsel for the petitioner seeks time to file appropriate application to make submissions. List the matter for 28.02.2017 for further hearing.


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


(Deepa Krishan)
Member (Technical)

February 14 , 2017

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