

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

CP (IB) No. 40/Chd/Hry/2017

In the matter of:

Horseshoe Entertainment & Hospitality Pvt. Ltd. ... Corporate Debtor.

Present: Mr. Alishan Naqvee, Mr. Saurabh Chaturvedi, Mr. Sumer Brar, Mr. Gaurav Bhardwaj and Ms. Rupal Bhatia, Advocates and Mr. G.S. Sarin and Mr. P.D. Sharma both Practising Company Secretaries for petitioner. Mr. Anand Chhibbar, Senior Advocate with Mr. Amit Jamsandekar, Mr. Tarun Vir Lehal, Mr. Dhiraj Mhetre and Ms. Smiti Tewari, Advocates for The Comedy Store, Intervener.

It is submitted that the proposed Intervener Comedy Store could not file objections in compliance with order dated 12.07.2017. Learned counsel for the proposed Intervener submits that he will be receiving documents along with the authority letter today and file the application along with the objections by Monday i.e. 24.07.2017. Learned counsel for the petitioner, however, opposes the prayer on the ground that The Comedy Store has no *locus standi* to intervene and further the time permitted for filing the application having elapsed.

Having heard the learned counsel for the petitioner, I am of the view that the notice of this petition be issued to the Financial-Creditor M/s Earthwise Hospitality and Entertainment Holdings Pvt. Ltd. along with copy of the petition and the entire Paper Book. The petitioner would despatch the notice along with the petition and the entire Paper Book by Speed Post forthwith and file affidavit stating compliance along with Track Report of the Post Office at least one day before the date fixed. Let it be

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specified in the notice that the Financial Creditor may file response to the petition at least one day before the date fixed with copy advance to the counsel for the petitioner.

The proposed Intervener, however, would file the application for permission to intervene along with the objections, if any, latest by 24.07.2017 with copy advance to the counsel opposite.

Learned counsel for the proposed Intervener, however, states that unaffirmed copy of the intervention application would be sent on the email address of the counsel for petitioner by tomorrow. Let the compliance be made accordingly.

The matter be listed for arguments on 26.07.2017 and it is made clear that no request for adjournment shall be entertained.

Sd/-

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

✓ July 19, 2017
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