

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

**CP NO.146/2016
RT NO.107/Chd/Pb/2017**

Tata Capital Financial Services Ltd. ...Petitioner

Versus.

M/s Samana Roller Flour Mills Ltd. ...Respondent

Present: None.

This petition has been received by the Tribunal from the Hon'ble Punjab and Haryana High Court, Chandigarh in terms of Rule 5 of the Companies (Transfer of Pending Proceedings) Rules, 2016. The petition was filed under Section 433 (e) of the Companies Act, 1956 for winding up of the respondent-company on the ground of its inability to pay the debt due to the petitioner. The matter was still at the stage of service of the respondent-company while it was pending in the Hon'ble High Court. On 06.12.2016, the matter was adjourned for 31.03.2017 and the petitioner was directed to check the record of the Registrar of Companies as to whether address of the registered office of the respondent-company is the same or has changed. As per the report of the Hon'ble High Court Registry 'Dasti' notice was collected by the learned counsel for respondent on 16.12.2016 i.e. after 15.12.2016, with effect from which the Companies (Transfer of Pending Proceedings) Rules, 2016 came into force.

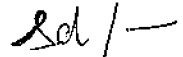
The petition is thus adjourned sine die as the petitioner has to comply with the provisions of Rule 5 of the Companies (Transfer of Pending Proceedings) Rules, 2016 read with the Companies (Transfer of Pending

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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 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)



(Deepa Krishan)
Member (Technical)

March 31, 2017
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