

NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH
CHENNAI

17

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI
NATIONAL COMPANY LAW TRIBUNAL, HELD ON 30/09/2017 AT 10.30 AM

PRESENT: SHRI Ch. MOHD SHARIEF TARIQ, MEMBER-JUDICIAL
SHRI S. VIJAYARAGHAVAN, MEMBER-TECHNICAL

APPLICATION NUMBER :
PETITION NUMBER : CP/477/ (IB)/CB/2017
NAME OF THE PETITIONER(S) : SPEED SOLAR SOLUTIONS
NAME OF THE RESPONDENT(S) : BORG ENERGY INDIA PVT LTD
UNDER SECTION : 9 RULE 6 OF INSOLVENCY & BANKRUPTACY CODE 2016

| S.No. | NAME (IN CAPITAL) | DESIGNATION | SIGNATURE |
|-------|-------------------|------------------------|-----------|
| | | REPRESENTATION BY WHOM | |

| | | | |
|----|-------------------|-----|------------|
| 1. | R. KRISHNANARAYAN | IRP | R. Krishna |
|----|-------------------|-----|------------|

ORDER

Mr. R. Krishnamurthy, IRP in person present and filed an affidavit stating therein that the Operational Creditor is not cooperating with him as no expenses were provided for public announcement and to carry out the duties as per the provisions of the IBC, 2016. He has also submitted that he has sent the notice to the Registered Office of the Operational Creditor which has been returned with the endorsement 'door closed'. He has also informed to the Counsel of the Operational Creditor but there was no response.

The IRP visited the Registered Office of the Corporate Debtor and found some other Company being housed there as stated in the exhibit '3'. In the circumstances, we are constrained to recall the orders dated 31.05.2017 and 01.08.2017 which have become infructuous. Therefore, the IRP is relieved of his assignment. The expenses of the IRP and his remuneration shall be paid by the Operational Creditor.

sd/-
(S. VIJAYARAGHAVAN)
MEMBER (TECHNICAL)

sd/-
(CH. MOHD SHARIEF TARIQ)
MEMBER (JUDICIAL)