

NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH
CHENNAI

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ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI
NATIONAL COMPANY LAW TRIBUNAL, HELD ON 11/09/2017 AT 10.30 AM

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

APPLICATION NUMBER :
PETITION NUMBER : TCP/237/ (IB)/2017
NAME OF THE PETITIONER(S) : USHA MARTIN LTD
NAME OF THE RESPONDENT(S) : EL FORGE LTD
UNDER SECTION : 433 (e)(f)

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

1. Paritosa
Venkateswaran

Counsel for
the Petitioner

ParitE

ORDER

Counsel for the Petitioner present. No representation on behalf of the Respondent. As seen from the record, the Company Petition was filed before the Hon'ble High Court of Madras under section 433(e) and (f) along with 434 (i)(a) and 434 (i)(b) Act, 1956 for winding up of the Respondent Company on the basis of non-payment of the outstanding debt. The Hon'ble High Court of Madras has issued the private notice but no notice under Rule 26 of the Companies (Court) Rules, 1959, was issued by the Hon'ble High Court of Madras. Therefore, the petition was transferred to this Bench. The Petitioner was required to make compliance with the provisions of section 9(3)(b) and (c) of I&B Code, 2016 on or before 15.07.2017, as per the Notification dated 29.06.2017, but there is no compliance of the same. Therefore, the Petition abates and the same is **dismissed** with the liberty to the Petitioner to file afresh, if so advised.

(S. VIJAYARAGHAVAN)
MEMBER (TECHNICAL)

(CH. MOHD SHARIEF TARIQ)
MEMBER (JUDICIAL)

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