

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD**

CP (IB)/180/HDB/2017  
U/s 9 of IBC, 2016  
R/w Rule 6 of I&B (AAA) Rules, 2016

**In the matter of:**

Tecpro Systems Limited  
Tecpro Towers, 11-A14,  
5<sup>th</sup> Cross Road, SIPCOT IT Park,  
Siruseri, Chennai-603103.

... Petitioner/  
Operational Creditor

**Versus**

M/s. BGR Energy Systems Limited  
Plot No.A5, Pannamgadu Industrial Estate  
Ramapuram Post  
Sulurpet (T), Nellure District  
Andhra Pradesh - 524401

**CERTIFIED TO BE TRUE COPY  
OF THE ORIGINAL**

...Respondent/  
Corporate Debtor

Date of Order: 08.09.2017

**CORAM:**

Hon'ble Shri. Rajeswara Rao Vittanala, Member (Judicial)  
Hon'ble Shri. Ravikumar Duraisamy, Member (Technical)

**Parties/Counsels Present:**

For the Petitioner/  
Operational Creditor: Shri Raghunandan Rao,  
Senior Advocate with  
G. Bhupesh, Advocate

**Per: Rajeswara Rao Vittanala, Member (Judicial)**



## ORDER

1. The Company Petition bearing CP No. CP(IBC)/180/HDB/2017 is filed by Tecpro System Ltd., (Petitioner/ Operational Creditor) under Section 9 of IBC, 2016 R/w Rule 6 of the Insolvency and Bankruptcy (Application to Adjudicating authority ) Rules, 2016 by inter-alia seeking to initiate Corporate Insolvency Resolution Process (CIRP) against M/s BGR Energy Systems Limited (Respondent / Corporate Debtor)
2. Brief facts, leading to the filing present petition, are as follows:
  - (a) Tecpro Systems Limited (Petitioner/ Operational Creditor) is incorporated on 07.11.1990 under the Companies Act, 1956. The Petitioner/ Operational Creditor has engaged in the business of Manufacturing, Supply, Civil erection, Commissioning and installation of infrastructure projects.
  - (b) During the course of the business, operational creditor has supplied, Erected and commissioned, Material handling system for the Corporate Debtor.
  - (c) Operational Creditor is demanding payment in respect of unpaid operational debt due from corporate debtor for Rs. 46,35,81,260/- (Rupees Forty six Crores Thirty five lakhs eighty one thousand Two Hundred and sixty Only).
3. We have heard Mr. G. Bhupesh, learned counsel for the petitioner.
4. The case was listed before this Bench earlier on 01.09.2017, and it is adjourned to today on the request of the Learned Counsel that he would comply with the objections raised by the office vide letter



dated 23.05.2017. Today, the Learned Counsel filed a memo dated 07.09.2017. Since several required information is to be obtained for filing the Company Petition in accordance with the provisions of IBC, the Petitioner / Operational Creditor wanted to withdraw the Company Petition with a liberty to file a fresh Company Petition for the same cause of action, after gathering required information and documents.

5. In view of the facts and circumstances of the case, we disposed of the Company Petition bearing No. CP (IB)/180/HDB/2017 as withdrawn, by granting leave to the Petitioner to file fresh Company Petition in accordance with the provisions of IBC, 2016, for the same cause of action.
6. No order as to costs.



*Sd/-*  
RAVIKUMAR DURAISAMY  
MEMBER (TECHNICAL)

*Sd/-*  
RAJESWARA RAO VITTANALA  
MEMBER (JUDICIAL)

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OF THE ORIGINAL

*[Signature]*  
By. Regr./Asst. Regr./Court Officer/  
National Company Law Tribunal, Hyderabad Bench

प्रमाणित प्रति  
CERTIFIED TRUE COPY  
केस संख्या  
CASE NUMBER. CP(IB)/180/HDB/2017  
निर्णय का तारीख  
DATE OF JUDGEMENT. 09.2017  
प्रति तैयार किया गया तारीख  
COPY MADE READY ON. 16.10.2017