

IN THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH, HYDERABAD

CP (IB) No. 244/9/HDB/2017
U/s 9 of IBC, 2016
R/w Rule 6 of I&B (AAA), 2016

In the matter of

Eastern Electrodes & Coke Pvt Ltd
97C, Harish Mukherjee Road
3rd Floor, Kolkata - 700026

Petitioner/
Operational Creditor

Versus

Metkore Alloys & Industries Ltd
Plot No. 18, Street 1, Sagar Society
Road No.2, Banjara Hills
Hyderabad - 500034

Respondent/
Corporate Debtor

Date of order: 16.10.2017

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OF THE ORIGINAL

CORAM

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

Parties / Counsels Present

For the Petitioner: Shri G. Sai Prasen and Shri
D.V.A.S Ravi Prasad Advocates

Per: Rajeswara Rao Vittanala, Member (Judicial)

ORDER

1. The Company Petition bearing CP (IB) 244/9/HDB/2017 is filed by Eastern Electrodes & Coke Pvt. Ltd (Petitioner/Operational Creditor) under section 9 of Insolvency and Bankruptcy Code, 2016, R/w Rule 6 of Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016, seeking to initiate Corporate



Insolvency Resolution Process (CIRP) in respect of Metkore Alloys & Industries Ltd (Respondent / Corporate Debtor).

2. Heard Shri B. Mithun and G. Prasen, Learned Counsels for the Petitioner.
3. The case was listed for hearing on 03.10.2017. The Learned Counsel for the Petitioner submit that they would comply with the objections raised by the Registry. Thus, requested to post the matter to 10.10.2017. Accordingly, the case was adjourned to 10.10.2017 and again to today. Even today, it is noticed that the office objections have not been complied with so far.
4. However, the learned counsel requested to permit him to withdraw the present Company Petition, with a liberty to file a fresh CP in accordance with law, and submitted a memo dated 16.10.2017 to this effect.
5. In view of the facts and circumstances of the case, the Company Petition bearing No. CP(IB) 244/9/HDB/2017 is disposed of as withdrawn by reserving right to the Petitioner to file a fresh Company Petition in accordance with law. No order as to costs.



Sdt

RAVIKUMAR DURAISAMY
MEMBER (TECHNICAL)

Sdt/-

RAJESWARA RAO VITTANALA
MEMBER (JUDICIAL)

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lh
Dy. Regr./Asst. Regr/Court Officer/
National Company Law Tribunal, Hyderabad Bench

प्रमाणित प्रति
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केस संख्या
CASE NUMBER *CP(IB) NO: 244/9/HDB/2017*
निर्णय का तारीख
DATE OF JUDGEMENT... *16.10.2017*
प्रति तैयार किया गया तारीख
COPY MADE READY ON... *10.11.2017*