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NATIONAL COMPANY LAW TRIBUNAL  
MUMBAI BENCH, MUMBAI

T.C.P No. 856/(MAH)/2017  
MA 344/2017

CORAM:

Present:

SHRI B.S.V. PRAKASH KUMAR  
MEMBER (J)


SHRI V. NALLASENAPATHY  
MEMBER (T)


ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF  
THE NATIONAL COMPANY LAW TRIBUNAL ON 12.09.2017

NAME OF THE PARTIES: Peerless Financial Services Ltd.  
V/s.  
Rasoya Proteins Ltd.

SECTION OF THE COMPANIES ACT: I & BP Code 2016.

S. No.	NAME	DESIGNATION	SIGNATURE
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1	Adv. Amrita Kharkar a/w Adv. Ninal Dedhia i/b malvi Ranchoddas & Co.	Adv. for IRP	
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2)	Nithish Banger PCS for Anil Bontkar. (Applicant)		
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ORDER

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**ORDER**

**MA No. 344/2017 IN TCP No. 856/I&BP/NCLT/MB/MAH/2017**

The Counsel for the Petitioner as well as the Corporate Debtor are present.

On the application moved by the Promotor and Managing Director of the Corporate Debtor stating that the Financial Creditor, who filed petition under section 7 of Insolvency and Bankruptcy Code and obtained an Admission Order from this Bench, went ahead and obtained an attachment against the properties of the company before Hon'ble Chief Metropolitan Magistrate, Kolkata knowing pretty well that the Petitioner should not initiate or continue any proceedings as long as moratorium is in force against Corporate Debtor including execution of any judgment, degree or order in any court of law, tribunal, arbitration panel or other authority, the Financial Creditor is hereby directed to explain, on or before next date of hearing, as to how this Financial Creditor namely Peerless Financial Services Ltd. could proceed against the company and obtain an attachment from the criminal court against this company while moratorium is in operation over the Corporate Debtor on the admission order obtained by this very Financial Creditor.

List this matter on **27.09.2017** for explanation.

Sd/-

**V. NALLASENAPATHY**  
Member (Technical)

Sd/-

**B.S.V. PRAKASH KUMAR**  
Member (Judicial)