

IN THE NATIONAL COMPANY LAW TRIBUNAL : NEW DELHI

COURT-III

(IB)-490/ND/2017

In the matter of :

Oriental Containers Ltd. ....PETITIONER  
Vs.  
Mount Shivalik Industries Limited .. RESPONDENT

SECTION :

Under Section 9 of IBC, 2016

Order delivered on 06.12.2017

Coram :

R. VARADHARAJAN,  
Hon'ble Member (Judicial)

For the Petitioner /applicant : Mr. Aman Varma, Advocate  
Ms. Anshula Grover, Advocate  
Mr. Parth S. Chaudhari, Advocate

For the Respondent/Corporate Debtor :

For the Intervener :

ORDER

Learned Counsel for the petitioner is present. It is represented by the Ld. Counsel for the petitioner that in compliance to the directions dated 16.11.2017 passed by this Tribunal in relation to service of Section 8 notice, being Notice of default, the same has been filed (on two dates i.e. 23.11.2017 as well as on 01.12.2017). Even though an Affidavit of service dated 23.11.2017 is available on record but in relation to an Affidavit dated 01.12.2017, the same is not available.

The Bench Officer is directed to check for the same and put it in record and call the matter on 11.12.2017.

*—Sd/-*  
(R. VARADHARAJAN)  
MEMBER (JUDICIAL)

Surjit  
06.12.2017

IN THE NATIONAL COMPANY LAW TRIBUNAL : NEW DELHI  
COURT-III

(IB)-381/ND/2017

In the matter of :

Mr. Sreesh Asthana ....PETITIONER  
Vs.  
Shree Bankey Behari Export Limited .. RESPONDENT

SECTION :

Under Section 7 of IBC, 2016

Order delivered on 06.12.2017

Coram :

R. VARADHARAJAN,  
Hon'ble Member (Judicial)

For the Petitioner /applicant : Mr. Pankaj Bhagat, Advocate  
Mr. Sadre Alam, Advocate

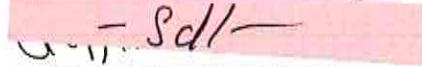
For the Respondent/Corporate Debtor : -

For the Intervener : :

ORDER

Learned Counsel for the petitioner is present. In view of the settlement having been arrived at between the Petitioner and the Corporate Debtor, the Learned Counsel for petitioner seeks to withdraw this application.

Taking into consideration the said representation, the petition is dismissed as withdrawn.



(R. VARADHARAJAN)  
MEMBER (JUDICIAL)

Surjit  
06.12.2017

IN THE NATIONAL COMPANY LAW TRIBUNAL : NEW DELHI

COURT-III

(IB)-418/ND/2017

In the matter of :

Mr. Ashok Dubey & Ors. ....PETITIONER  
Vs.  
Earth Infras. Limited .. RESPONDENT

SECTION :

Under Section 7 of IBC, 2016

Order delivered on 06.12.2017

Coram :

R. VARADHARAJAN,  
Hon'ble Member (Judicial)

For the Petitioner /applicant : -

For the Respondent/Corporate Debtor : -

For the Intervener : -

ORDER

Learned Counsel for the petitioner is present. None appears for the respondent/Corporate Debtor.

It is pointed out by the Ld. Counsel for the petitioner that as per the directions given by this Tribunal on 13.11.2017, the respondent Corporate Debtor was required to file its reply and also to furnish an advance copy of the same to the Ld. Counsel for the petitioner. However, the same has not been complied with.

A final opportunity is granted to the Corporate Debtor to file its reply failing which the Corporate Debtor will lose its right to file reply.

Post the matter for enquiry on 12.12.2017

*- Sd/-*  
(R. VARADHARAJAN)  
MEMBER (JUDICIAL)

Surjit

IN THE NATIONAL COMPANY LAW TRIBUNAL : NEW DELHI

COURT-III

CA(CAA)/115/ND/2017

In the matter of :

Ultra Tech. Steels (P) Ltd and  
Amrit Plastics Limited

....PETITIONER

SECTION :

Under Section 230-232

Order delivered on 06.12.2017

Coram :

R. VARADHARAJAN,  
Hon'ble Member (Judicial)

For the Petitioner /applicant

: Mr. Prince Mohan Sinha, Co. Secy.  
Mr. Dinesh Mohan Sinha, Advocate  
Mr. Rajeev Deora, Advocate

For the Respondent/Corporate Debtor : -

For the Intervener : -

ORDER

Learned Counsel for the petitioner is present.

Even though already order was reserved by this Tribunal subsequently it was posted for clarifications and it is represented by the Ld. Counsel for the petitioner that the provisional statements which were not filed previously have been filed in view of the clarifications sought for by this Tribunal.

It is further represented by the Ld. Counsel for the petitioner that the same has been filed today vide diary No.5054 dated 06.12.2017.The Bench Officer is directed to check the same and place the same on record. Subject to the same, If found in order, the matter is reserved for orders.

*— Sd/-*  
(R. VARADHARAJAN)  
MEMBER (JUDICIAL)

Surjit

IN THE NATIONAL COMPANY LAW TRIBUNAL : NEW DELHI

COURT-III

CP-246/ND/2017

In the matter of :

RK and Company Manpower (P) Ltd  
And Amrit Plastics Limited

....PETITIONER

SECTION :

Under Section 252 (3)

Order delivered on 06.12.2017

Coram :

R. VARADHARAJAN,  
Hon'ble Member (Judicial)

For the Petitioner /applicant : -

For the Respondent/Corporate Debtor :

For the RD (N) : Mr. Manish Raj, Co. Prosecutor

For the Intervener : Ms. Easha Kadian for Ms. Lakshmi  
Gurung, Standing Counsel for  
Income Tax Department

ORDER

Learned Counsel for the petitioner is present. Ld. representative for the ROC as well as Income tax Department are also available. It is stated by the Ld. representative for the ROC that in relation to Section 252 (1) and in relation to Section 252 (3), an order of the Hon'ble Principal Bench, New Delhi is being relied upon. However, if time is granted the same can be produced as he is not able to produce the same today. Three days time is granted for this purpose.

List on 11.12.2017.

*Sd/-*  
(R. VARADHARAJAN)  
MEMBER (JUDICIAL)

Surjit  
06.12.2017