

IN THE NATIONAL COMPANY LAW TRIBUNAL : NEW DELHI
PRINCIPAL BENCH

C. P. NO. ~~160~~ (ND) OF 2013

IN THE MATTER OF:

M/s. Levcon Valves Pvt. Ltd.

.....PETITIONER

Versus

M/s. Energo Engineering Projects Ltd.

... RESPONDENT

SECTION :

U/s. 9 (IBC) Code 2016

Order delivered on 29.6.2017

Coram :

R. VARADHARAJAN,
Hon'ble Member (Judicial)

For the Petitioner

: Shri Anil Kumar Khanna, Advocate

For the Respondent No.1

: Shri Vansha Banerjee, Advocate

ORDER

Learned Counsel for the petitioner is present and represents that notice to the Respondent has already been served. The Respondent company requests time to file reply as well as to raise preliminary objections regarding maintainability.

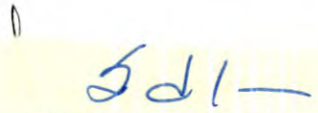


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The Respondent company is also directed to file their latest financial statement in order to prove otherwise its solvency. The petitioner is given an opportunity for filing the rejoinder within a week thereafter.

At this point, in relation to the respondent company, the Counsel for the respondent company brings to notice of this Tribunal that the company has filed a petition before the Principal Bench, NCLT, New Delhi under Section 10 of IBC, to put in motion insolvency Resolution Process and the same has been numbered and listed on 11.7.2017. In the above circumstances, it will be appropriate that this Petition is also posted before the Hon'ble Principal Bench for consideration as it involves the same Company and also in order to avoid any dichotomy, as Insolvency Resolution Professional, if decided to be appointed by either of the Tribunal can be only one and not multiple. Hence, the matter be placed for hearing before the Hon'ble Principal Bench on 11.7.2017 for consideration.

29.6.2017
Surjit


(R. VARADHARAJAN)
MEMBER (JUDICIAL)