

**NATIONAL COMPANY LAW TRIBUNAL  
BENGALURU BENCH  
COURT NO.1**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL COMPANY LAW TRIBUNAL,  
BENGALURU BENCH, BENGALURU, HELD ON 26.11.2019

**PRIORITY CAUSE LIST – 1**

PRESENT: 1. Hon'ble Member (J), Shri Rajeswara Rao Vittanala  
2. Hon'ble Member (T), Shri Ashutosh Chandra

CP/CA No.	Purpose	Sec	Name of Petitioner	Petitioner Advocate	Name of Respondent	Respondent Advocate
CP(IB) No. 180/BB/2019	For admission	Sec 7 of I&B Code 2016	M/s Benett Property Holding Company Ltd	M/s Poovayya & Co.,	M/s S L Plott`ed Development Projects Pvt Ltd	Poornima Hatti, Advocate

ADVOCATE FOR PETITIONER/s:

*Shristi Widge*  
SHRISTI WIDGE  
MANOJ KULKARNI

*Shristi Widge*

*Manoj Kulkarni*

ADVOCATE FOR RESPONDENT/s:

MR. ANARGHYA K. CHANDAR  
(SAMVAD PARTNERS)  
+91 - 9108357250

*Anarghya K. Chandar*

MR. HARISH NARASAPPA  
(SAMVAD PARTNERS)

## ORDER

Heard Shri Manu Kulkarni along with Shri Shristi Widge, learned Counsels for the Petitioner and Shri Anarghya K. Chandar along with Shri Harish Narasappa, learned Counsels for the Respondent.

By perusal of the records, it shows that the case is filed by M/s.Benett Property Holding Company Limited against M/s.SL Plotted Development Projects Private Limited. Learned Counsel for the Respondent submits that since another case is filed in NCLT Chennai Bench against the Guarantor i.e. M/s.Shriram Land Development Private Limited, the instant petition is not maintainable.

Learned Counsel for the Petitioner submits that the case filed against the Guarantor in Chennai is separate whereas present the Petition is filed by the lender against the Principal Borrower. Therefore, it is a prima facie accepted debt. In the present case CIRP can be initiated against the Respondent. It is on record that the lender did not receive any amount either from the Principal Borrower or from the Guarantor. So the instant petition is filed as per law.

Post the case on **04.12.2019.**



**MEMBER(T)**



**MEMBER(J)**

Verified  
Puja



Court Officer