

DIVISION BENCH

ITEM NO. 119

NATIONAL COMPANY LAW TRIBUNAL  
ALLAHABAD BENCH  
PRAYAGRAJ

CP (IB) No. 12/ALD/2022

CORAM:

1. SHRI RAJASEKHAR V. K,  
HON'BLE MEMBER (JUDICIAL)
2. SHRI VIRENDRA KUMAR GUPTA,  
HON'BLE MEMBER (TECHNICAL)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 04th May , 2022, 2:30 PM

NAME OF THE COMPANY	SUNSHINE TILES COMPANY PVT LTD V/S SWASTIK MARBOGRANIT PVT LTD
UNDER SECTION	9 IBC

**COUNSEL APPEARED THROUGH VIDEO CONFERENCING :**

Sh. M.K. Maurya holding brief of Sh. Nishant Mehrotra, Adv.

: For the Operational Creditor

**ORDER**

Proxy counsel for the operational creditor present.

1. In this matter the amount to be in default is Rs.23, 35,179/- which is below the threshold limit of rupees one crore specified in Section 4 as amended on 24.03.2020. This application was filed before this court on 08.01.2021 which is after the date on which the threshold limit was revised to Rs. 1,00,00,000 i.e. after 24.03.2020.
2. Therefore, in terms of the order dated 25.10.2021 in Company Appeal (AT) (Insolvency) No. 813 of 2021 passed by the Hon'ble NCLAT, the petition is not maintainable and is dismissed as such.
3. Liberty is granted to the Operational creditor to file appropriate application for revival of Company Petition in case the Civil Appeal No. 7032/2021 filed by *Jumbo Paper Products Private Limited vs. Hansraj Agrofresh Private Limited* before the Hon'ble Supreme Court against the order dated 25.10.2021 passed by the Hon'ble NCLAT, succeeds.

Virendra  
Kumar  
Gupta

**Virendra Kumar Gupta**  
Member (Technical)

Kumud Narayan  
(PS)

Digitally signed by Virendra Kumar Gupta  
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—Sd—

**Rajasekhar V.K.**  
Member (Judicial)