

**NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH**

PRESENT: HON'BLE SHRI K ANANTHA PADMANABHA SWAMY – MEMBER JUDICIAL

PRESENT: HON'BLE SHRI BINOD KUMAR SINHA – MEMBER TECHNICAL

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING HELD ON 19.08.2019 AT 10.30 AM

TRANSFER PETITION NO.	
COMPANY PETITION/APPLICATION NO.	CP(IB) NO. 735/9/HDB/2018
NAME OF THE COMPANY	KSK Mahanadi Power Company
NAME OF THE PETITIONER(S)	Sepco Electric Power Construction Corporation
NAME OF THE RESPONDENT(S)	KSK Mahanadi Power Company
UNDER SECTION	9 OF IBC

Counsel for Petitioner(s):

Name of the Counsel(s)	Designation	E-mail & Telephone No.	Signature
Ranjeet Prakash	Counsel for SEPCO	[Handwritten Signature]	[Handwritten Signature]
Abhinav Raghuvanshi			
P. Mohith Reddy			
			8886677756

Counsel for Respondent(s):

Name of the Counsel(s)	Designation	E-mail & Telephone No.	Signature

ORDER

Counsel for the Petitioner present and filed a memo seeking liberty to withdraw the present application and file afresh. Memo is taken on record which forms part of the order. Permission is accorded. In view of the memo, CP(IB)No.735/9/HDB/2018 is closed as withdrawn vide separate order.



MEMBER TECHNICAL



MEMBER JUDICIAL

AS

**IN THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH, HYDERABAD**

CP (IB) No.735/9/HDB/2018
Under section 9 of the IB Code, 2016
Read with Rule 6 of the Insolvency and Bankruptcy
(Application to Adjudicating Authority) Rules, 2016

In the matter of:- M/s. KSK Mahanadi Power Company Ltd.

SEPCO Electric Power Construction Corporation,
No.10567, Jingshi Road, Jinan,
Shandong, People's Republic of China.

...Petitioner/
Operational Creditor

Versus

M/s. KSK Mahanadi Power Company Ltd.
Registered Office at:-
8-2-293/82/A/431/A
Road No.22, Jubilee Hills,
Hyderabad – 500033, India.

...Respondent/
Corporate Debtor

Order delivered on: 19.08.2019

**Coram: MEMBER (JUDICIAL) K. ANANTHA PADMANABHA SWAMY
MEMBER (TECHNICAL) Dr. BINOD KUMAR SINHA**


Parties/Counsel Present:

For the Applicant:

Mr. Ranjeet Prakash, Mr. Abhinav Raghuvanshi & Mr. P. Mohith
Reddy, Counsels

For the Respondent:

Mr. M.S.Trivikrama Rao, Counsel.



19.8.19


Per: **K. ANANTHA PADMANABHA SWAMY**

MEMBER JUDICIAL

ORDER

1. Under consideration is a Company Petition filed by M/s. SEPCO Electric Power Construction (in short, 'Petitioner/Operational Creditor') against M/s. KSK Mahanadi Power Company Ltd. (in short, 'Respondent') under section 9 of the Insolvency and Bankruptcy Code 2016 (in short, I & B Code 2016) Read with Rule 6 of the Insolvency & Bankruptcy (Application to Adjudicating Authority) Rules, 2016 (for brevity, '**IB Rules 2016**') for initiation of CIRP against the Corporate Debtor.
2. Applicant/Operational Creditor further filed an Application bearing IA No.114/2019 seeking directions from this Adjudicating Authority to treat a part of its debt as Operational Debt and part as Financial Debt and this Adjudicating Authority vide its order dated 03.05.2019 granted liberty to the Applicant to withdraw and file separate petitions under section 7 and 9 of IB Code, 2016 respectively.
3. Pursuant to orders of this Adjudicating Authority, Petitioner has filed a memo of withdrawal seeking liberty to file afresh.
4. Memo is taken on record. In view of the memo, CP(IB)No.735/9/HDB/2018 is closed as withdrawn.


19.08.19
Dr. BINOD KUMAR SINHA
MEMBER (TECHNICAL)


K. ANANTHA PADMANABHA SWAMY
MEMBER (JUDICIAL)