

**IN THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH**

COURT – IV

25.

IA-673/2022 in C.P.(IB)/2127(MB)/2019

CORAM:

SHRI MANOJ KUMAR DUBEY
MEMBER (Technical)

SHRI KISHORE VEMULAPALLI
MEMBER (Judicial)

ORDER SHEET OF THE HEARING HELD ON **16.11.2022**

NAME OF THE PARTIES:

Ultratech Cement Ltd.

v/s

Aniirudh Civil Engineers & Contractors Pvt.
Ltd.

SECTION: 9, OF INSOLVENCY AND BANKRUPTCY CODE, 2016. Rule 11 of NCLT,
2016

ORDER

The Court is convened through Video Conference.

1. Mr. Deep Dighe i/b Mr. Amit Tungare, Ld. Counsel for the Applicant present.
2. IA-673/2022 has been filed by the Applicant for restoration of the original Petition [CP(IB)-2127/2019] which was dismissed on 06.11.2019 on the ground that the Corporate Debtor got admitted by Court-1 in CP(IB)-3991/2018 on 14.10.2019. However, detailed admission order was not issued in that case and CIRP was not commenced. In the meantime, the Hon'ble Member (Judicial) left this Tribunal and joined in the Appellate Tribunal. As a result of which, the Bench ceased to exist and therefore, CP(IB)-3991/2018 listed for hearing afresh.

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3. As the CIRP on the Corporate Debtor was not initiated, the Petitioner in CP(IB)-2127/2019 filed the above IA for restoration of the main Petition.
4. As per the facts and circumstances as detailed above, it is a fit case for restoration of the Petition as prayed in the Application. Therefore, IA-673/2022 is hereby **allowed** and **disposed** of. Accordingly, CP(IB)-2127/2019 is hereby **restored**.
5. CP(IB)-2127/2019 is listed for hearing on **16.01.2023**. Counsel for the Operational Creditor is directed to issue personal notice to the Corporate Debtor clearly indicating the next date of hearing.

Sd/-
MANOJ KUMAR DUBEY
Member (Technical)

Sd/-
KISHORE VEMULAPALLI
Member (Judicial)