

**IN THE NATIONAL COMPANY LAW TRIBUNAL: NEW DELHI**

**COURT-VI**

**Item No. 601  
IB-315/ND/2021**

**IN THE MATTER OF:**

**M/s. Samyak Metals Pvt. Ltd**

**...PETITIONER**

**Vs.**

**M/s. Kiran Udyog Private Limited**

**...RESPONDENT**

**Section**

**Under Section 9 of IBC**

**Order delivered on 14.12.2021  
(Virtual Hearing)**

**Coram:**

**DR. P.S.N. PRASAD, HON'BLE MEMBER (JUDICIAL)**

**SHRI RAHUL BHATNAGAR, HON'BLE MEMBER (TECHNICAL)**

**For the Petitioner/Operational creditor :Mr. Kinshuk Chatterjee, Mr. Shubham Saxena, Ms. Srishti Saxena, Ms. Priyanka Gupta, Advocates.**

**For the Respondent/Corporate debtor :Mr. Shashank Agarwal, Advocate.**

**ORDER**

**IA/5695/2021**

Heard the arguments advanced by the counsels for both the parties. Counsel for the Corporate Debtor has prayed for setting aside the ex-parte order dated 23.11.2021, whereby orders have been reserved under the petition filed under Section 9 of IBC.

The Corporate Debtor is set ex-parte vide order dated 20.10.2021 and thereafter the matter was posted to 23.11.2021 for arguments. The Corporate Debtor has failed to appear even on the date when the matter was posted for the arguments and has approached the Tribunal after the order is reserved in

(Anjula)



the matter and even the application for setting aside ex-parte order no proper reason has been stated for setting aside the ex-parte order. Therefore, the application to set aside the ex-parte order is **dismissed**.

-Sd-

(Rahul Bhatnagar)  
Member (T)

-Sd-

(P.S.N. Prasad)  
Member (J)

(Anjula)