

**NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH (COURT-I)
CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH,
NATIONAL COMPANY LAW TRIBUNAL, HELD ON **30.03.2021** at **2.00 PM**
THROUGH VIDEO CONFERENCING

**PRESENT: SHRI R. VARADHARAJAN, MEMBER (JUDICIAL)
SHRI ANIL KUMAR B, MEMBER (TECHNICAL)**

IA/MA/IBA/TCP/TCA/CP/CA No : IBA/611/2020
NAME OF PETITIONER : Auto Impex
NAME OF RESPONDENT : DSC Motors Pvt Ltd
SECTION : Sec 9 Of IBC 2016

ORDER

Learned Counsel for Petitioner Mr. Pranav Jain is present through video conferencing platform.

Ld. Counsel for Petitioner moves this Petition. Upon a query posed by this Tribunal as to the amount in default and whether it exceeds in aggregate a sum of Rs.1,00,00,000/- or above, Ld. Counsel for the Petitioner represents that even though the sum is not in excess of Rs.1,00,00,000/-, however, the Petition is maintainable. From the seal affixed by the Registry, it is seen that the Petition has been filed on 22.10.2020 i.e., after a notification has been issued by the Central Government wherein the threshold limit has been increased from Rs.1,00,000/- to Rs.1,00,00,000/- on and from the said date by virtue of the power vested in the Central Government under the provisions of IBC to entertain a petition with effect from 24.03.2020. The sum total of the amount claimed to be in default it is seen is as follows:

Outstanding Principal	Rs.10,16,787.00
Interest claimed	Rs.1,62,685.92
Total amount due	Rs.11,79,472.92

Under serial number 2 of part IV, the amount claimed in aggregate is stated to be Rs.11,79,472.92 by the Petitioner himself. Since the amount



claimed by the Petitioner falls much below the threshold limit as fixed by virtue of notification issued under section 4 by the Central Government effective from 24.03.2020, this Tribunal does not have the pecuniary jurisdiction to entertain this Petition. Under the circumstances, this Petition, we are constrained to **dismiss** for lack of pecuniary jurisdiction.

-SD-

(ANIL KUMAR B)
MEMBER (TECHNICAL)

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-SD-

(R.VARADHARAJAN)
MEMBER (JUDICIAL)