

19.

**NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH
COURT NO.1**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL COMPANY LAW TRIBUNAL,
BENGALURU BENCH, BENGALURU, HELD ON 02.03.2020

CAUSE LIST - 2

PRESENT: 1. Hon'ble Member (J), Shri Rajeswara Rao Vittalala
2. Hon'ble Member (T), Shri Ashutosh Chandra

CP/CA No.	Purpose	Sec	Name of Petitioner	Petitioner Advocate	Name of Respondent	Respondent Advocate
Dy. No. 213/BB/2020	For dismissal	Sec 9 of I&B code 2016	Shrenik Sutariya	Bhargar C Thakkar, Advocate	Auro make My Hall Pvt Ltd	

ADVOCATE FOR PETITIONER/s:

ADVOCATE FOR RESPONDENT/s:

ORDER

None appeared for both the parties. CP (IB) No 85/BB/2020 is dismissed for default for non compliance of office objections vide separate order.


MEMBER (T)


MEMBER (J)

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

C.P. (IB) No. 85/BB/2020
U/s 9 of the IBC, 2016
R/w Rule 6 of the I&B (AAA) Rules, 2016

In the matter of:

Mr. Shrenik Sutariya,

D-401, Garden Residency -3,
B/h Syam Villa Bungalows,
South Bopal,
Ahmedabad - 380058

- Petitioner/Operational Creditor

Versus

M/s. Auro Make My Hall Private Limited,

Rudra Chambers, No.95,
11th Cross, 4th Main Road,
Malleshwaram,
Bangalore – 560 003

- Respondent/Corporate Debtor

Date of Order: 2nd March, 2020

- Coram:**
1. Hon'ble Shri Rajeswara Rao Vittanala, Member (Judicial)
 2. Hon'ble Shri Ashutosh Chandra, Member (Technical)

Parties/Counsels Present:

For the Petitioner : None

For the Respondent : None

ORDER

Per: Rajeswara Rao Vittanala, Member (Judicial)

1. C.P.(IB)No. 85/BB/2020 is filed by Mr. Shrenik Sutariya ('Petitioner/Operational Creditor') under Section 9 of the IBC, 2016, R/w Rule 6 of the I&B(AAA) Rules, 2016, by inter alia seeking to initiate Corporate Insolvency Resolution Process (CIRP) in respect of M/s. Auro Make My Hall Private Limited ('Respondent/Corporate Debtor') on the ground that the Corporate Debtor has committed default for a total

outstanding amount of Rs.6,71,738/- (Rupees Six Lakh Seventy Nine Thousand Six Hundred and Thirty Seven only) including interest of Rs. 66,738/- (Rupees Sixty Six thousand Seven Hundred and Thirty Eight only) and legal expenses of Rs. 75,000/- (Rupees Seventy Five Thousand only) as on 21.12.2018.

2. The Petition was filed before the Adjudicating Authority on 09.01.2020 and on scrutiny of the application, the Registry has raised certain office objections and the same were sent through mail to the Counsel on 24.01.2020. The case was listed on 27.02.2020 for the non-compliance of office objections, and on this day neither the Petitioner nor the Counsel for the Petitioner appeared before the Adjudicating Authority.
3. On perusal of the records, it shows that the case is not being prosecuted diligently. Therefore, the case was posted under the caption **“For Dismissal”** on 02.03.2020. Today also neither the Petitioner nor Counsel for the Petitioner appeared before the Adjudicating Authority. It shows that the Petitioner is not interested to prosecute the case, and therefore, the Petition is liable to be dismissed for default for non-compliance of office objections.
4. In the result, C.P. (IB) No. 85/BB/2020 is dismissed for default for non-compliance of office objections. No order as to costs.

(ASHUTOSH CHANDRA)
MEMBER, TECHNICAL

(RAJESWARA RAO VITTANALA)
MEMBER, JUDICIAL

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