

NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH - I
CHENNAI

39

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI
NATIONAL COMPANY LAW TRIBUNAL, HELD AT 10.30 AM ON 25.09.2018

PRESENT: SHRI Ch. MOHD SHARIEF TARIQ, MEMBER – JUDICIAL
SHRI ANIL KUMAR B, MEMBER - TECHNICAL

APPLICATION NUMBER : MA/998/2019
PETITION NUMBER : CP/507/(IB)/2017
NAME OF THE PETITIONER(S) : FELGUERA GRUAS INDIA PVT LTD
NAME OF THE RESPONDENT(S) : V MAHESH (RP) (DIAMOND ENGINEERING
CHENNAI PVT LTD)
UNDER SECTION : 31(2)&60(5) OF IBC

S.No.	NAME (IN CAPITAL)	DESIGNATION	SIGNATURE
-------	-------------------	-------------	-----------

R. Venket Raman &
Archana

Petitioners

Archer

V. Mahesh

Respondent
(Resolutions Professional
for the CP)

Santhosh

R. SUGUMARAN

Cont for SB 1
COC

Archer

ORDER

The Resolution Professional for the Corporate Debtor is present. During the course of hearing, it has been noted that the issue involved in the present Application is a mixed question of law and fact, as the Resolution Professional representing the Corporate Debtor is also making counter claim against the Applicant, which cannot be determined in the summary proceedings. Moreover, the Applicant has prayed to withdraw the Application. The Petition is **dismissed as withdrawn**.

However, liberty is given to the Applicant to explore the other options available under Law and the Resolution Professional representing the Corporate Debtor is also permitted to press for other legal remedies against the Applicant.


(ANIL KUMAR B)
MEMBER (TECHNICAL)


(CH. MOHD SHARIEF TARIQ)
MEMBER (JUDICIAL)

ghk