

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

**COURT-VI**

**Item No. 202  
IB-288/ND/2020**

**IN THE MATTER OF:**

**M/s. Olympus Metal Pvt. Ltd.**

**...PETITIONER**

**Vs.**

**M/s. Kay Em Copper Pvt. Ltd.**

**...RESPONDENT**

**Section**

**Under Section 9 of IBC**

**Order delivered on 24.05.2021**

**(Virtual Hearing)**

**Coram:**

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

**SHRI, NARENDER KUMAR BHOLA, HON'BLE MEMBER (TECHNICAL)**

**For the Petitioner/Operational-creditor :**

**For the Respondent/Corporate-debtor :Mr. Gaurav Srivastava, Advocate.**

**ORDER**

IB No. 288/ND/2020 is a Section 9 application filed by M/s. Olympus Metal Pvt. Ltd. (OC) against Kay Em Copper Pvt. Ltd. (CD). It transpires by the Ld. Counsel for the corporate debtor that the corporate debtor has been subjected to Corporate Insolvency Resolution process in another matter before in case No. IB/2027/ND/2019 titled Tata Capital Financial Services Ltd. Vs. Kay Em Copper Pvt. Ltd. vide order dated 19.04.2021 by this Tribunal. Therefore, petitioner in this matter may approach the IRP and file his claim if not filed earlier so as to enable the IRP consider the same as per law. This present petition has become infructuous. Therefore, the same has been **dismissed**. The case papers/folders may be sent to record room. Ld. Counsel

(Annu)

for the operational creditor is not present at the time of virtual hearing of the matter. Therefore, Ld. Counsel is directed to take note of the above order.

SD  
**(Narender Kumar Bhola)**  
**Member (T)**

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