

DIVISION BENCH

ITEM NO.117

NATIONAL COMPANY LAW TRIBUNAL
ALLAHABAD BENCH
PRAYAGRAJ

CP No.(IB) 14/ALD/2020

CORAM:

1. SHRI RAJASEKHAR V.K.,
HON'BLE MEMBER (JUDICIAL)
2. SHRI VIRENDRA KUMAR GUPTA,
HON'BLE MEMBER (TECHNICAL)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 02nd FEBRUARY , 2022,
2:30 PM

NAME OF THE COMPANY	M/S AJAY FILLING STATION V/S M/S BESSON MUSICAL INSTRUMENT PVT LTD
UNDER SECTION	9 IBC

COUNSEL APPEARED THROUGH VIDEO CONFERENCING :

None : For the operational creditor
Sh. Sanchit Garga : For the corporate debtor.

ORDER

No representation on behalf of the operational creditor.

Ld. Counsel for the corporate debtor present.

He submits that the matter has been amicably settled between the parties as early as on 04.08.2021 and thereafter, the counsel on record for the operational creditor has not been appearing in the matter. He therefore, seeks dismissal of the present petition.

It is seen that the last occasion on which the Ld. Counsel appeared on behalf of the operational creditor was on 28th September, 2021, then the matter could not be taken up due to paucity of time. Thereafter, the matter was called on 01.12.2021 and 20.12.2021, when there was no representation on behalf of the operational creditor.

This is the third occasion when there is no representation behalf of the operational creditor. It appears that the operational creditor is not interested in pursuing the company petition and therefore same be dismissed for non-prosecution.

File be consigned to the records.

—Sd—

Virendra Kumar Gupta
Member (Technical)

—Sd—

Rajasekhar V.K.
Member (Judicial)