

**IN THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH
COURT – IV**

22. C.P. (IB)/429(MB)2021

CORAM:

SHRI RAJESH SHARMA
MEMBER (Technical)

SHRI KISHORE VEMULAPALLI
MEMBER (Judicial)

ORDER SHEET OF THE HEARING HELD ON **15.02.2022**

Name of the Parties: D Thakkar Construction Pvt. Ltd.
Vs.
K. H. Foges India Private Limited

Section 9 of Insolvency and Bankruptcy Code, 2016

ORDER

The Court is convened through Video Conference.

1. Mr. Ayush J. Rajani, Ld. Authorised Representative for the Petitioner present. No representation on the part of the Corporate Debtor.
2. Ld. Counsel for the Petitioner submits that the matter against the same Corporate Debtor has already been admitted into CIRP by Court-III of this Tribunal in C.P. No. 472/2020 vide order dated 13.12.2021.
3. In view of the admission against the same Corporate Debtor, this Petition is **dismissed as infructuous**. However, Petitioner is at liberty to approach the IRP/RP with their claim, as per law.

Sd/-

Sd/-

KISHORE VEMULAPALLI
Member (Judicial)

RAJESH SHARMA
Member (Technical)

/skd/